THE

SCOTS MAGAZINE.

M D C C L X X I V.

V O L U M E XXXVI.

Ne quid falsi dicere audeat, ne quid veri non audeat.

EDINBURGH:

Printed by A. MURRAY and J. COCHRAN.

A CHRONOLOGICAL SERIES of EVENTS, continued from our preceding volume.

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[*The 1ſt, 8th, 15th, 22d, and 29th, of a month, fall on the ſame week-day.—— The month-day advances one week-day every common year, and two every leap year: ſo, as 1774 and 1775 are both common years, every month-day of the current year will fall on the week-day next after that on which the ſame month-day fell laſt year.*]

January,	Saturday.	May,	Sunday.	September,	Thurſday.
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THE SCOTS MAGAZINE.

JANUARY, 1774.

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A ſhort account of the life of JAMES FERGUSON, *F. R. S.*

Written by himſelf, and prefixed to his Select Mechanical Exerciſes. [xxxv. 652.]

AS this is probably the laſt book I ſhall ever publiſh, I beg leave to prefix to it a ſhort account of myſelf, and of the manner I firſt began, and have ſince proſecuted, my ſtudies. For as my ſetting out in life, from a very low ſtation, and in a remote part of the iſland, has occaſioned ſome falſe, and indeed very improbable particulars, to be related of me; I therefore think it the better way, inſtead of contradicting them one by one, to give a faithful and circumſtantial detail of my whole proceedings, from my firſt obſcure beginning to the preſent time; wherein if I ſhould inſert ſome particulars of little moment, I hope the good-natured reader will kindly excuſe me.

I was born in the year 1710, a few miles from Keith, a little village in Banffſhire, in the north of Scotland; and can with pleaſure ſay, that my parents, though poor, were religious and honeſt; lived in good repute with all who knew them; and died with good characters.

As my father had nothing to ſupport a large family but his daily labour, and the profits ariſing from a few acres of land which he rented, it was not to be expected that he could beſtow much on the education of his children: yet they were not neglected; for, at his leiſure-

hours, he taught them to read and write. And it was while he was teaching my elder brother to read the Scotch catechiſm that I acquired my reading. Aſhamed to aſk my father to inſtruct me, I uſed, when he and my brother were abroad, to take the catechiſm, and ſtudy the leſſon which he had been teaching my brother: and when any difficulty occurred, I went to a neighbouring old woman, who gave me ſuch help as enabled me to read tolerably well before my father had thought of teaching me.

Some time after, he was agreeably ſurpriſed to find me reading by myſelf: he thereupon gave me further inſtruction, and alſo taught me to write; which, with about three months I afterward had at the grammar-ſchool at Keith, was all the education I ever received.

My taſte for mechanics aroſe from an odd accident.—When about ſeven or eight years of age, a part of the roof of the houſe being decayed, my father, deſirous of mending it, applied a prop and lever to an upright ſpar to raiſe it to its former ſituation; and, to my great aſtoniſhment, I ſaw him, without conſidering the reaſon, lift up the ponderous roof as if it had been a ſmall weight. I attributed this at firſt to a degree of ſtrength that excited my terror as well as wonder: but thinking further of the matter, I recollected, that he had applied his ſtrength to that end of the lever which was furtheſt from the prop; and finding, on inquiry, that this was the means whereby the ſeeming wonder was effected, I began making levers (which I then called bars); and by applying weights to them different ways, I found the power gained by my bar was juſt in proportion to the lengths of the different parts of the bar on either ſide of the prop.—I then thought it was great pity, that by means of this bar, a weight could be raiſed but a very little way. On this I ſoon imagined, that, by pulling round a wheel, the weight might be raiſed to any height by tying a rope to the weight, and winding the rope round the axle of the wheel; and that the power gained muſt be juſt as great as the wheel was broader than the axle was thick; and found it to be exactly ſo, by hanging one weight to a rope put round the wheel, and another to the rope that coiled round the axle. So that, in theſe two machines, it appeared very plain, that their advantage was as great as the ſpace gone through by the working power exceeded the ſpace gone through by the weight. And this property I alſo thought muſt take place in a wedge for cleaving wood; but then I happened not to think of the ſcrew.—By means of a turning lathe which my father had, and ſometimes uſed, and a little knife, I was enabled to make wheels and other things neceſſary for my purpoſe.

I then wrote a ſhort account of theſe machines, and ſketched out figures of them with a pen, imagining it to be the firſt treatiſe of the kind that ever was written: but found my miſtake, when I afterward ſhewed it to a gentleman, who told me that theſe things were known long before, and ſhewed me a printed book in which they were treated of: and I was much pleaſed when I found, that my account (ſo far as I had carried it) agreed with the principles of mechanics in the book he ſhewed me. And from that time my mind preſerved a conſtant tendency to improve in that ſcience.

But as my father could not afford to maintain me while I was in purſuit only of theſe matters, and I was rather too young and weak for hard labour, he put me out to a neighbour to keep ſheep; which I continued to do for ſome years; and in that time I began to ſtudy the ſtars in the night. In the day-time I amuſed myſelf by making models of mills, ſpinning-wheels, and ſuch other things as I happened to ſee.

I then went to ſerve a conſiderable farmer in the neighbourhood, whoſe name was *James Glaſſan*. I found him very kind and indulgent: but he ſoon obſerved, that in the evenings, when my work was over, I went into a field with a blanket about me; lay down on my back, and ſtretched a thread with ſmall beads upon it, at arms-length, between my eye and the ſtars; ſliding the beads upon it till they hid ſuch and ſuch ſtars from my eye, in order to take their apparent diſtances from one another; and then, laying the thread down on a paper, I marked the ſtars thereon by the beads, according to their reſpective poſitions, having a candle by me. My maſter at firſt laughed at me; but when I explained my meaning to him, he encouraged me to go on: and that I might make fair copies in the day-time of what I had done in the night, he often worked for me himſelf. I ſhall always have a reſpect for the memory of that man.

One

One day he happened to ſend me with a meſſage to the Rev. Mr John Gilchriſt, miniſter at Keith, to whom I had been known from my childhood. I carried my ſtar-papers to ſhew them to him, and found him looking over a large parcel of maps, which I ſurveyed with great pleaſure, as they were the firſt I had ever ſeen. He then told me, that the earth is round like a ball, and explained the map of it to me. I requeſted him to lend me that map, to take a copy of it in the evenings. He chearfully conſented to this, giving me at the ſame time a pair of compaſſes, a ruler, pens, ink, and paper; and diſmiſſed me with an injunction not to neglect my maſter's buſineſs by copying the map, which I might keep as long as I pleaſed.

For this pleaſant employment, my maſter gave me more time than I could reaſonably expect; and often took the threſhing-ſtail out of my hands, and worked himſelf, while I ſat by him in the barn, buſy with my compaſſes, ruler, and pen.

When I had finiſhed the copy, I aſked leave to carry home the map: he told me I was at liberty to do ſo, and might ſtay two hours to converſe with the miniſter. — In my way thither, I happened to paſs by the ſchool at which I had been before, and ſaw a genteel-looking man (whoſe name I afterward learnt was *Cantley)* painting a ſun-dial on the wall. I ſtopt a while to obſerve him; and the ſchoolmaſter came out, and aſked me what parcel it was that I had under my arm. I ſhewed him the map, and the copy I had made of it; wherewith he appeared to be very well pleaſed; and aſked me, whether I ſhould not like to learn of Mr Cantley to make ſun-dials? Mr Cantley looked at the copy of the map, and commended it much; telling the ſchoolmaſter (Mr John Skinner) that it was a pity I did not meet with notice and encouragement. I had a good deal of converſation with him, and found him to be quite affable and communicative; which made me think I ſhould be extremely happy if I could be further acquainted with him.

I then proceeded with the map to the miniſter, and ſhewed him the copy of it. — While we were converſing together, a neighbouring gentleman, Thomas Grant, Eſq; of Achoynaney, happened to come in; and the miniſter immediately introduced me to him, ſhewing him what I had done. He expreſſed great ſatisfaction, aſked me ſome queſtions about the conſtruction of maps, and told me, that if I would go and live at his houſe, he would order his butler, Alexander Cantley, to give me a great deal of inſtruction. Finding that this Cantley was the man whom I had ſeen painting the ſun-dial, and of whom I had already conceived a very high opinion, I told 'Squire Grant, that I ſhould rejoice to be at his houſe as ſoon as the time was expired for which I was engaged with my preſent maſter. — He very politely offered to put one in my place; but this I declined.

When the term of my ſervitude was out, I left my good maſter, and went to the gentleman's houſe; where I quickly found myſelf with a moſt humane good family. Mr Cantley the butler ſoon became my friend, and continued ſo till his death. He was the moſt extraordinary man that I ever was acquainted with, or perhaps ever ſhall ſee; for he was a complete maſter of arithmetic, a good mathematician, a maſter of muſic on every known inſtrument except the harp, underſtood Latin, French, and Greek, let blood extremely well, and could even preſcribe as a phyſician upon any urgent occaſion. He was what is generally called *ſelf-taught*; but, I think, he might with much greater propriety have been termed *God Almighty's ſcholar*.

He immediately began to teach me decimal arithmetic, and algebra; for I had already learnt vulgar arithmetic, at my leiſure-hours, from books. He then proceeded to teach me the elements of geometry; but, to my inexpreſſible grief, juſt as I was beginning that branch of ſcience, he left Mr Grant, and went to the late Earl Fife's, at ſeveral miles diſtance. The good family I was then with, could not prevail with me to ſtay after he was gone; ſo I left them, and went to my father's.

He had made me a preſent of Gordon's Geographical Grammar, which, at that time, was to me a great treaſure. There is no figure of a globe in it, although it contains a tolerable deſcription of the globes, and their uſe. From this deſcription I made a globe in three weeks at my father's, having turned the ball thereof out of a piece of wood; which ball I covered with paper, and delineated a map of the world upon it; made the meridian ring and horizon of wood; covered them with paper, and graduated them; and was happy to find, that, by

my globe (which was the firſt I ever ſaw) I could ſolve the problems.

But this was not likely to afford me bread; and I could not think of ſtaying with my father, who I knew full well could not maintain me in that way, as it could be of no ſervice to him; and he had, without my aſſiſtance, hands ſufficient for all his work.

I then went to a miller, thinking it would be a very eaſy buſineſs to attend the mill, and that I ſhould have a great deal of leiſure-time to ſtudy decimal arithmetic and geometry. But my maſter, being too fond of tipling at an alehouſe, left the whole care of the mill to me, and almoſt ſtarved me for want of victuals; ſo that I was glad when I could have a little oat-meal mixed with cold water to eat. I was engaged for a year in that man's ſervice; at the end of which I left him, and returned in a very weak ſtate to my father's.

Soon after I had recovered my former ſtrength, a neighbouring farmer, who practiſed as a phyſician in that part of the country, came to my father's, wanting to have me as a labouring ſervant. My father adviſed me to go to Dr Young, telling me that the Doctor would inſtruct me in that part of his buſineſs. This he promiſed to do, which was a temptation to me. But inſtead of performing his promiſe, he kept me conſtantly to very hard labour, and never once ſhewed me one of his books. All his ſervants complained that he was the hardeſt maſter they had ever lived with; and it was my misfortune to be engaged with him for half a year. But, at the end of three months, I was ſo much overwrought, that I was almoſt diſabled, which obliged me to leave him: and he was ſo unjuſt as to give me nothing at all for the time I had been with him, becauſe I did not complete my half-year's ſervice: though he knew that I was not able, and had ſeen me working for the laſt fortnight, as much as poſſible, with one hand and arm, when I could not lift the other from my ſide. And what I thought was particularly hard, he never once tried to give me the leaſt relief, further than once bleeding me, which rather did me hurt than good, as I was very weak, and much emaciated. I then went to my father's, where I was confined for two months on account of my hurt, and deſpaired of ever recovering the uſe of my left arm. And during all that time, the Doctor never once came to ſee me, although the diſtance was not quite two miles.—But my friend Mr Cantley hearing of my misfortune, at twelve miles diſtance, ſent me proper medicines and applications; by means of which I recovered the uſe of my arm; but found myſelf too weak to think of going into ſervice again, and had entirely loſt my appetite, ſo that I could take nothing but a draught of milk once a-day, for many weeks.

In order to amuſe myſelf in this low ſtate, I made a wooden clock, the frame of which was alſo of wood; and it kept time pretty well. The bell on which the hammer ſtruck the hours, was the neck of a broken bottle.

Having then no idea how any time-keeper could go but by a weight and a line, I wondered how a watch could go in all poſitions; and was ſorry that I had never thought of aſking Mr Cantley, who could very eaſily have informed me. But happening one day to ſee a gentleman ride by my father's houſe, (which was cloſe by a public road), I aſked him what o'clock it then was: he looked at his watch, and told me. As he did that with ſo much good-nature, I begged of him to ſhew me the inſide of his watch; and though he was an entire ſtranger, he immediately opened the watch, and put it into my hands. I ſaw the ſpring-box with part of the chain round it, and aſked him what it was that made the box turn round: he told me that it was turned round by a ſteel ſpring within it. Having then never ſeen any other ſpring than that of my father's gun-lock, I aſked how a ſpring within a box could turn the box ſo often round as to wind all the chain upon it. He anſwered, that the ſpring was long and thin; that one end of it was faſtened to the axis of the box, and the other end to the inſide of the box; that the axis was fixed, and the box was looſe upon it. I told him I did not yet thoroughly underſtand the matter: "Well, my lad," ſays he, "take a long thin piece of whale-bone, hold one end of it faſt between your finger and thumb, and wind it round your finger; it will then endeavour to unwind itſelf: and if you fix the other end of it to the inſide of a ſmall hoop, and leave it to itſelf, it will turn the hoop round and round, and wind up a thread tied to the outſide of the hoop."—I thanked the gentleman, and told him that I underſtood the thing very

very well. I then tried to make a watch with wooden wheels, and made the ſpring of whalebone; but found that I could not make the watch go when the balance was put on, becauſe the teeth of the wheels were rather too weak to bear the force of a ſpring ſufficient to move the balance; although the wheels would run faſt enough when the balance was taken off. I incloſed the whole in a wooden caſe, very little bigger than a breakfaſt tea-cup: but a clumſy neighbour one day looking at my watch, happened to let it fall; and turning haſtily about to pick it up, ſet his foot upon it, and cruſhed it all to pieces; which ſo provoked my father, that he was almoſt ready to beat the man; and diſcouraged me ſo much, that I never attempted to make ſuch another machine again, eſpecially as I was thoroughly convinced I could never make one that would be of any real uſe.

As ſoon as I was able to go abroad, I carried my globe, clock, and copies of ſome other maps beſides that of the world, to the late Sir James Dunbar of Durn, (about ſeven miles from where my father lived), as I had heard that Sir James was a very good-natured, friendly, inquiſitive gentleman. He received me in a very kind manner, was pleaſed with what I ſhewed him, and deſired I would clean his clocks. This, for the firſt time, I attempted; and then begun to pick up ſome money in that way about the country, making Sir James's houſe my home at his deſire.

Two large globular ſtones ſtood on the top of his gate: on one of them I painted (with oil colours) a map of the terreſtrial globe, and on the other a map of the celeſtial, from a planiſphere of the ſtars which I copied on paper from a celeſtial globe belonging to a neighbouring gentleman. The poles of the painted globes ſtood toward the poles of the heavens; on each, the twenty-four hours were placed around the equinoctial, ſo as to ſhew the time of the day when the ſun ſhone out, by the boundary where the half of the globe at any time enlightened by the ſun was parted from the other half in the ſhade; the enlightened parts of the terreſtrial globe anſwering to the like enlightened parts of the earth at all times. So that, whenever the ſun ſhone on the globe, one might ſee to what places the ſun was then riſing, to what places it was ſetting, and all the places where it was then day or night, throughout the earth.

During the time I was at Sir James's hoſpitable houſe, his ſiſter, the Hon. the Lady Dipple, came there on a viſit, and Sir James introduced me to her. She aſked me whether I could draw patterns for needle-work on aprons and gowns. On ſhewing me ſome, I undertook the work, and drew ſeveral for her; ſome of which were copied from her patterns, and the reſt I did according to my own fancy. On this, I was ſent for by other ladies in the country, and begun to think myſelf growing very rich by the money I got for ſuch drawings; out of which I had the pleaſure of occaſionally ſupplying the wants of my poor father.

Yet all this while I could not leave off ſtar-gazing in the nights, and taking the places of the planets among the ſtars by my above-mentioned thread. By this, I could obſerve how the planets changed their places among the ſtars, and delineated their paths on the celeſtial map, which I had copied from the above-mentioned celeſtial globe.

By obſerving what conſtellations the ecliptic paſſed through in that map, and comparing theſe with the ſtarry heaven, I was ſo impreſſed as ſometimes to imagine that I ſaw the ecliptic in the heaven, among the ſtars, like a broad circular road for the ſun's apparent courſe; and fancied the paths of the planets to reſemble the narrow rutts made by cart-wheels, ſometimes on one ſide of a plain road, and ſometimes on the other, croſſing the road at ſmall angles, but never going far from either ſide of it.

Sir James's houſe was full of pictures and prints, ſeveral of which I copied with pen and ink: this made him think I might become a painter.

Lady Dipple had been but a few weeks there, when William Baird, Eſq; of Auchmedden, came on a viſit: he was the huſband of one of that lady's daughters, and I found him to be very ingenious and communicative: he invited me to go to his houſe, and ſtay ſome time with him; telling me that I ſhould have free acceſs to his library, which was a very large one; and that he would furniſh me with all ſorts of implements for drawing. I went thither, and ſtaid about eight months; but was much diſappointed in finding no books of aſtronomy in his library; except what was in the two volumes of Harris's Lexicon Technicum, although there were many books on geography and other ſciences. Several of theſe indeed were in Latin, and

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more in French; which being languages that I did not underſtand, I had recourſe to him for what I wanted to know of theſe ſubjects; which he chearfully read to me; and it was as eaſy for him, at ſight, to read Engliſh from a Greek, Latin, or French book, as from an Engliſh one. He furniſhed me with pencils and Indian ink, ſhewing me how to draw with them; and although he had but an indifferent hand at that work, yet he was a very acute judge; and conſequently a very fit perſon for ſhewing me how to correct my own work. He was the firſt who ever ſat to me for a picture; and I found it was much eaſier to draw from the life than from any picture whatever, as nature was more ſtriking than any imitation of it.

Lady Dipple came to his houſe in about half a year after I went thither. And as they thought I had a genius for painting, they conſulted together about what might be the beſt way to put me forward. Mr Baird thought it would be no difficult matter to make a collection for me among the neighbouring gentlemen, to put me to a painter at Edinburgh: but he found, upon trial, that nothing worth the while could be done among them. And as to himſelf, he could not do much that way, becauſe he had but a ſmall eſtate, and a very numerous family.

Lady Dipple then told me, that ſhe was to go to Edinburgh next ſpring, and that if I would go thither, ſhe would give me a year's bed and board at her houſe gratis, and make all the intereſt ſhe could for me among her acquaintance there.—I thankfully accepted of her kind offer; and inſtead of giving me one year, ſhe gave me two. I carried with me a letter of recommendation from the Lord Pitſligo (a near neighbour of 'Squire Baird's) to Mr John Alexander, a painter in Edinburgh; who allowed me to paſs an hour every day at his houſe, for a month, to copy from his drawings; and ſaid he would teach me to paint in oil-colours, if I would ſerve him ſeven years, and my friends would maintain me all that time: but this was too much for me to deſire them to do; nor did I chuſe to ſerve ſo long. I was then recommended to other painters; but they would do nothing without money. So I was quite at a loſs what to do.

In a few days after this, I received a letter of recommendation from my good friend 'Squire Baird to the Rev. Dr Robert Keith at Edinburgh, to whom I gave an account of my bad ſucceſs among the painters there. He told me, that if I would copy from nature, I might do without their aſſiſtance; as all the rules for drawing ſignified but very little when one came to draw from the life: and, by what he had ſeen of my drawings brought from the north, he judged I might ſucceed very well in drawing pictures from the life, in Indian ink, on vellum. He then ſat to me for his own picture, and ſent me with it, and a letter of recommendation, to the Rt Hon. the Lady Jane Douglas, who lived with her mother, the Marchioneſs of Douglas, at Merchiſton-houſe, near Edinburgh. Both the Marchioneſs and Lady Jane behaved to me in the moſt friendly manner, on Dr Keith's account, and ſat for their pictures; telling me at the ſame time, that I was in the very room in which Lord Napier invented and computed the logarithms; and that, if I thought it would inſpire me, I ſhould always have the ſame room whenever I came to Merchiſton.—I ſtaid there ſeveral days, and drew ſeveral pictures of Lady Jane; of whom it was hard to ſay, whether the greatneſs of her beauty, or the goodneſs of her temper and diſpoſitions, was the moſt predominant. She ſent theſe pictures to ladies of her acquaintance, in order to recommend me to them; by which means I ſoon had as much buſineſs as I could poſſibly manage, ſo as not only to put a good deal of money in my own pocket, but alſo to ſpare what was ſufficient to help to ſupply my father and mother in their old age.—Thus, a buſineſs was providentially put into my hands, which I followed for ſix and twenty years.

Lady Dipple being a woman of the ſtricteſt piety, kept a watchful eye over me at firſt, and made me give her an exact account at night of what families I had been in throughout the day, and of the money I had received. She took the money each night, deſiring I would keep an account of what I had put into her hands; telling me, that I ſhould duly have, out of it, what I wanted for cloaths, and to ſend to my father.—But, in leſs than half a year, ſhe told me, that ſhe would thenceforth truſt me with being my own banker; for ſhe had made a good deal of private inquiry how I had behaved when I was out of her ſight

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through the day, and was ſatisfied with my conduct.

During my two years ſtay at Edinburgh, I ſomehow took a violent inclination to ſtudy anatomy, ſurgery, and phyſic, all from reading of books, and converſing with gentlemen, on theſe ſubjects: which, for that time, put all thoughts of aſtronomy out of my mind; and I had no inclination to become acquainted with any one there who taught either mathematics or aſtronomy; for nothing would ſerve me but to be a doctor.

At the end of the ſecond year I left Edinburgh, and went to ſee my father, thinking myſelf tolerably well qualified to be a phyſician in that part of the country; and I carried a good deal of medicines, plaiſters, &c. thither.—But, to my mortification, I ſoon found, that all my medical theories and ſtudy were of little uſe in practice. And then, finding that very few paid me for the medicines they had, and that I was far from being ſo ſucceſsful as I could wiſh, I quite left off that buſineſs, and began to think of taking to the more ſure one of drawing pictures again.—For this purpoſe I went to Inverneſs, where I had eight months buſineſs.

When I was there, I began to think of aſtronomy again; and was heartily ſorry for having quite neglected it at Edinburgh, where I might have improved my knowledge by converſing with thoſe who were very able to aſſiſt me. I began to compare the ecliptic with its twelve ſigns (through which the ſun goes in twelve months) to the circle of twelve hours on the dial-plate of a watch, the hour-hand to the ſun, and the minute-hand to the moon, moving in the ecliptic; the one always overtaking the other at a place forwarder than it did at their laſt conjunction before. On this, I contrived and finiſhed a ſcheme on paper for ſhewing the motions and places of the ſun and moon in the ecliptic on each day of the year, perpetually; and conſequently, the days of all the new and full moons.

To this I wanted to add a method for ſhewing the eclipſes of the ſun and moon; of which I knew the cauſe long before, by having obſerved, that the moon was, for one half of her period, on the north ſide of the ecliptic, and for the other half on the ſouth. But having not obſerved her courſe long enough among the ſtars by my above-mentioned thread, ſo as to delineate her path on my celeſtial map in order to find the two oppoſite points of the ecliptic in which her orbit croſſes it, I was altogether at a loſs how and where in the ecliptic (in my ſcheme) to place theſe interſecting points: this was in the year 1739.

At laſt, I recollected, that when I was with 'Squire Grant of Achoynaney in the year 1730, I had read, that on the 1ſt of January 1690, the moon's aſcending node was in the 10th minute of the firſt degree of Aries; and that her nodes moved backward through the whole ecliptic in 18 years and 224 days, which was at the rate of 3 min. 11 ſec. every 24 hours. But as I ſcarce knew in the year 1730 what the moon's nodes meant, I took no further notice of it at that time.

However, in the year 1739, I ſet to work at Inverneſs; and after a tedious calculation of the ſlow motion of the nodes from Jan. 1690 to Jan. 1740, it appeared to me, that (if I was ſure I had remembered right) the moon's aſcending node muſt be in 23 deg. 25 min. of Cancer at the beginning of the year 1740. And ſo I added the eclipſe-part to my ſcheme, and called it *The Aſtronomical Rotula*.

When I had finiſhed it, I ſhewed it to the Rev. Mr Alexander Macbean, one of the miniſters at Inverneſs; who told me, he had a ſet of almanacks by him for ſeveral years paſt, and would examine it by the eclipſes mentioned in them. We examined it together, and found that it agreed throughout with the days of all the new and full moons and eclipſes mentioned in theſe almanacks; which made me think I had conſtructed it upon true aſtronomical principles. On this, Mr Macbean deſired me to write to Mr Maclaurin, profeſſor of the mathematics at Edinburgh, and give him an account of the methods by which I had formed my plan, requeſting him to correct it where it was wrong. He returned me a moſt polite and friendly anſwer, (although I had never ſeen him during my ſtay at Edinburgh), and informed me, that I had only miſtaken the radical mean place of the aſcending node by a quarter of a degree; and that, if I would ſend the drawing of my rotula to him, he would examine it, and endeavour to procure me a ſubſcription to defray the charges of engraving it on copper-plates, if I choſe to publiſh it. I then made a new and correct drawing of it, and ſent it to him;

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who ſoon got me a very handſome ſubſcription, by ſetting the example himſelf, and ſending ſubſcription-papers to others.

I then returned to Edinburgh, and had the rotula-plates engraved there by Mr Cooper *. It has gone through ſeveral impreſſions; and always ſold very well till the year 1752, when the ſtyle was changed, which rendered it quite uſeleſs. —Mr Maclaurin received me with the greateſt civility when I firſt went to ſee him at Edinburgh. He then became an exceeding good friend to me, and continued ſo till his death. [viii. 298.]

One day I requeſted him to ſhew me his orrery, which he immediately did. I was greatly delighted with the motions of the earth and moon in it; and would gladly have ſeen the wheel-work, which was concealed in a braſs box, and the box and planets above it were ſurrounded by an armillary ſphere. But he told me, that he never had opened it; and I could eaſily perceive that it could not be opened but by the hand of ſome ingenious clock-maker, and not without a great deal of time and trouble.

After a good deal of thinking, and calculation, I found that I could contrive the wheel-work for turning the planets in ſuch a machine, and giving them their progreſſive motions; but ſhould be very well ſatisfied if I could make an orrery to ſhew the motions of the earth and moon, and of the ſun round its axis. I then employed a turner to make me a ſufficient number of wheels and axles, according to patterns which I gave him in drawing: and after having cut the teeth in the wheels by a knife, and put the whole together, I found that it anſwered all my expectations. It ſhewed the ſun's motion round its axis, the diurnal and annual motions of the earth on its inclined axis, which kept its parallelism in its whole courſe round the ſun; the motions and phaſes of the moon, with the retrograde motion of the nodes of her orbit; and conſequently, all the variety of ſeaſons, the different lengths of days and nights, the days of the new and full moons, and eclipſes.

When it was all completed, except the box that covers the wheels, I ſhewed it to Mr Maclaurin, who commended it in preſence of a great many young gentlemen who attended his lectures. He deſired me to read them a lecture on it which I did without any heſitation, ſeeing I had no reaſon to be afraid of ſpeaking before a great and good man who was my friend.—Soon after that, I ſent it as a preſent to the Rev. and ingenious Mr Alexander Irvine, one of the miniſters at Elgin in Scotland.

I then made a ſmaller and neater orrery, of which all the wheels were of ivory, and I cut the teeth in them with a file.—This was done in the beginning of the year 1743; and, in May that year, I brought it with me to London, where it was ſoon after bought by Sir Dudley Rider. I have made ſix orreries ſince that time, and there are not any two of them in which the wheel-work is alike: for I could never bear to copy one thing of that kind from another, becauſe I ſtill ſaw there was great room for improvements. [*To be continued.*]

* Cooper was maſter to the juſtly-celebrated Mr Robert Strange, who was at that time his apprentice.

SIR, *London, Nov.* 1773.

A Gentleman near Greenwich lately hired a footman, who happened to be a ſober, honeſt, and conſcientious young fellow, juſt come from Scotland. He found the other ſervants confederated in ſome infamous practices, highly injurious to the intereſt of his maſter: they uſed every art to get him to join them, but in vain; and the young man, after reaſoning and remonſtrating with them to no purpoſe, gave them to underſtand, that if they did not deſiſt, he thought it his duty to acquaint his maſter with their proceedings; the fear of which, and the averſion uſually borne by ſuch people to a faithful fellow-ſervant, determined them to give him poiſon, which they actually did. The young man was of courſe taken ſuddenly ill; and the cauſe was preſently known by the ſymptoms: but by drenching plentifully with warm water and oil, and giving him clyſters of the ſame, his life was happily ſaved, though he ſtill remains ill. The whole affair was now revealed to the maſter, who inſtantly diſcharged all the other ſervants, and would have proſecuted them, but for the earneſt intreaties and interceſſion of the injured young man, whoſe fidelity the gentleman is determined to reward, and has himſelf ſent this to the paper. Houſekeepers may from hence know which of their ſervants are moſt faithful to them, by their being ill treated by the reſt.

Extra

Extracts from the Opinions of the Lords of Seſſion, July 27. 1773, in deciding the queſtion, Whether authors have, at common law, a perpetual and excluſive property in their works after publication? [xxxv. 498.]

LORD KENNET. [*Extracts.*]

Literary property is not in the law of Scotland; it is not in the law of nature; it is not in the law of nations. There is no ſtatute upon the ſubject except the act 8° Ann. The title of that ſtatute bears it to be an act for *veſting* the right for a certain term; and it is material to conſider, that the title at firſt ſtood otherwiſe, viz. for *ſecuring*; but it was altered by the legiſlature itſelf.

LORD AUCHINLECK. [*Extracts.*]

It is agreed by all, that while a book is not publiſhed, whether the work be in the author's head or his cabinet, it is abſolutely his, and no man can deprive him of it. But the queſtion is, if this right continues after publication?

There has been much ſaid on the neceſſary conſequence from its being once owned to be a man's property, that it ſhould ſtill continue ſo. But the reaſoning appears to me not juſt. My thoughts are mine ſo long as I retain them in my mind; but if I utter them, *neſcit vox miſſa reverti*; every hearer has a right to them as much as I. A man need not ſpeak in company unleſs he chuſes it; but if he ſpeaks, and does not enjoin ſecrecy, every man may propagate the ſayings with impunity. If a man throws out a thing in company, whether inſtructive or entertaining, can he maintain that he has a right of property in this *bon mot* to him and his heirs for ever?

Anciently very valuable performances were preſerved only by the memory. It is ſaid *Homer* was ſo, and *Oſſian*. When that was the caſe, what privilege could the author have? The poem of *Chevy-chace*, ſo much celebrated, and upon which we have a criticiſm by *Mr Addiſon*, was, in my remembrance, repeated by every body.—Was there a *copy* of this little heroic poem, what privilege could the author have in it, after he had let one man get it by heart?

LORD HAILES. [*Extracts.*]

Authors in England may have a common-law right in their works, even after publication.

So Engliſh lawyers have ſaid; ſo the court of king's-bench has determined.

Engliſh law, as to us, is foreign law; foreign law is matter of fact. Of the fact I aſk no better evidence, for I can have no better evidence, than the opinion of the lawyers and judges of that foreign country.

Whether this common-law right be conſidered as a *property* or as an *intereſt*, or as ſomething diſtinguiſhable from either, is of no moment.

If we are once ſatisfied of the *exiſtence* of a legal right, all inquiry into the *mode of its exiſtence*, is ſuperfluous.

This common-law right is ſtrangely interpreted by the London bookſellers.

The Biſhop of Glouceſter, in his admirable Charge to his Clergy, has beſtowed on the London bookſellers the appellation of *The Sages of St Paul's Church-yard*.

The doctrine of theſe *ſages* is commodious: they *limit* or *enlarge* this common-law right as beſt ſuits their own conveniency.

They *limit* it, 1. when, maintaining that an author has a right to the *whole* of his work, they take the liberty of borrowing whatever *part* of the work may be a proper ingredient for their monthly haſhes of literature, their *Univerſal Magazines of knowledge and pleaſure*.

If a work chances to be ſhort, they retail it in a news-paper under the appellation of a *criticiſm*, or an *extract*.

2. Again, they *limit* this common-law right by exciting their dependents to make abridgements of valuable works.

Herein Stackhouſe, the author of this day, was an adept: he abridged the diſcourſes pronounced at Mr Boyle's lecture.

He and his bookſeller would have condemned Donaldſon and his aſſociates for incroaching on the common-law right of Bentley or Gaſtrel: and yet *he* ſcrupled not to make, nor his bookſeller to publiſh, an abridgement of the arguments of Bentley and Gaſtrel in defence of religion!

How much of the argument evaporated in this literary proceſs, I pretend not to ſay.

Perhaps an abridger is held to acquire a right, by ſpecification, in the work abridged, according to the trite ſaying, —" malè dum recitas, incipit eſſe *tuus*."

3. They *limit* this common-law right by publiſhing *Dictionaries of Arts and Sciences*—the works of a hundred authors are ranſacked; out of them is produced, as *the ſages* expreſs it, *an entire new work*.

Poſtlethwayt common-placed the authors who had written of trade and commerce. It would be hard, ſays he, [article *Books*], were I to be deprived of the fruit of my twenty years labour by a literary pirate. That is, it would be hard that any one ſhould ſteal from me, what I have ſtolen from others.

To ſhew his conſiſtency, he has tranſcribed Forbes's *Treatiſe on Bills of Exchange*, in ſo far as it relates to Scotland.

What right had he to plunder Forbes? Yet the London bookſellers can ſee no fault in this, as long as they are *proprietors* of *Poſtlethwayt's Dictionary*.

4. They *limit* this right even in prerogative-copies. They dare not print the text of the Engliſh tranſlation of the Bible by itſelf: *that* belongs to the King; but they print it with notes, borrowed from Geneva ſometimes, but more frequently from Poland.

Again, they *enlarge* the common-law right, and *that* in various ways.

1. It is admitted, that there is no literary property in works whereof the author is abſolutely unknown.

If there ever was an anonymous writer, it is the author of the practical treatiſe, intitled, *The Whole Duty of Man*. At this day even the ſex of the author is problematical.

Nevertheleſs, the *trade* have found means to appropriate to themſelves a copy in which the pious author pretended no property.

Dr Hammond, in his commendatory epiſtle, obſerves, that the author had thrown the work into the *Cuban*, or common treaſury: the London bookſellers have taken it out of the *Cuban*.

And how? from Dr Hammond's commendatory epiſtle they learn, that Garthwait, the publiſher, had the MS. in his poſſeſſion *before* he printed the work: therefore the property of the book is in the heirs or aſſigns of Garthwait.

On this momentous diſcovery, that a publiſher was poſſeſſed of the MS. which he publiſhed, is founded the injunction 1735.

This, by the way, ſhews, that injunctions have been granted ſometimes without much attention to the merits of the cauſe.

2. The London bookſellers *enlarge* the common-law right, by conferring the name of *original author* on every *taſkleſs compiler*.

Hereof there is an appoſite example in Stackhouſe, the author of this day.

He was as very a compiler as ever deſcended from a bookſeller's garret.

The incorporeal ſubſtance of Stackhouſe's ideas is a non-entity.

And yet, in the opinion of *The Sages in St Paul's Church-yard*, Stackhouſe is no leſs an original author than Hooker or Warburton.

Here lies my firſt difficulty: were we to copy the judgement of the king's-bench in the caſe Millar *verſus* Taylor; were we to find, that the common-law right of authors in England could be made effectual in Scotland; were we even to find that literary property was eſtabliſhed in the law of nature and nations; ſtill we could not pronounce judgement for the purſuer, unleſs we were to hold Stackhouſe to have been an original author; *this* I can never do.

LORD MONBODDO. [*Entire.*]

This cauſe, whatever way it ſhall be decided, does great honour to our bar; for it has been moſt ably pleaded, nor do I remember ever to have heard a better pleading. It is a very important cauſe. It is of importance, as being perhaps the cauſe of greateſt property that ever came before us; the property indeed is immenſe, we know not the extent of it: and it is of importance in another reſpect, that it divided the preſent judges of England, and my Lord Hardwicke would give no opinion upon it. I am to give my opinion with the majority of the Engliſh judges. If it had been on the other ſide, I ſhould have given it with the ſame freedom.

As this cauſe has been treated, the firſt queſtion is,—Whether ſuch a property as I contend for, of authors in their works, can at all exiſt? For a great deal of argument has been uſed to prove, that ſuch a property is a mere chimera, incapable of being defined or aſcertained. This part of the argument, I own, ſurpriſed me a good deal: for it muſt be allowed, that ſuch a property is given by the ſtatute, at leaſt for a time; and if it be given by the ſtatute for a time, there is nothing to hinder it to be given by common law for a perpetuity. And the nature of it is ſufficiently defined by the ſtatute;

ſtatute; for it is there ſaid to be, "the ſole liberty of printing or reprinting the book." It is therefore what every right of property is,—the right of uſing a thing excluſive of others. And the uſe of the thing in this caſe aſcertained by the ſtatute, is the printing or reprinting of the book. For there may be ſundry uſes of the ſame thing; and as many uſes as there are, ſo many different rights or intereſts there may be in it. If I purchaſe a book, I may uſe it for my inſtruction or amuſement, or I may employ the paper or binding of it as I think proper; and ſo far I may be ſaid to have the property of it. But I cannot reprint it, becauſe that uſe belongs to the author or his aſſignee, and ſo far he is proprietor. Here is nothing obſcure or unintelligible, but it is what every man, even though he be no philoſopher, can readily conceive. All, therefore, that we have heard about the abſurdity of a property in ideas, appears to me to be nothing to the purpoſe. Ideas, or *bon mots*, as my brother ſaid, are not by their nature a ſubject of property. For property, though it be an *incorporeal* right, it muſt have for its ſubject ſome *corporeal* thing. But ſuppoſing they were capable of property, I allow every man who purchaſes a book to *appropriate* the ideas of it to himſelf as much as he can, and the words too, if his memory be good enough. I think I could go farther without hurting my argument, and admit, that he may carry thoſe ideas in his mind, and thoſe words in his memory, to a printing-preſs, and get them thrown off. Such a man I would call a *plagiary*, but not the *pirate* of a book; nor do I think that he would fall under the ſanction of the ſtatute, which only forbids him to uſe the book for a preſs-copy, to tranſfer the author's words from paper to paper, by the mere mechanical operation of printing, without any labour of the mind; but does not prohibit him to exerciſe either his memory or judgement upon it.

This being the nature of literary property, the next queſtion to be conſidered is, Whether there be ſuch a property at common law, independent of the ſtatute? And let us begin with the manuſcript.—That every author has a property in his own manuſcript, has not been denied. And it has been admitted, that, in conſequence of this property, he may, as the law now ſtands, print it if he pleaſes. Thus far, therefore, he may reap the fruits of his property. But theſe, it is ſaid, are the only fruits he can reap. For if the MS. is once printed, and the copy ſold, then it becomes *juris publici*, and every man is at liberty to reprint it, and make what profit of it he can. If this be ſo, the property of a MS. is a property of a very extraordinary kind, of which a man can only make profit once: whereas other things which are the ſubject of property, we may uſe for our profit as often as we pleaſe, and hinder others from interfering with us in that uſe.

Let us ſuppoſe that the author, inſtead of multiplying his MS. by the preſs, makes ſeveral copies of it in writing; and let us ſuppoſe, that he gives the uſe of one of thoſe copies to a friend. This happened in the caſe of Lord Clarendon's hiſtory; and it was there adjudged, that the perſon who got the uſe of the copy had not a right to print it, though it did not appear that when he got it he was laid under any reſtraint or limitation as to the uſe of it. It is true, indeed, that the perſon in that caſe got the uſe of the MS. for nothing. But would it have altered the caſe, if Lord Clarendon's heir, in conſideration of the expence or trouble of tranſcribing the MS. had made him pay ſomething for the uſe of it? Or ſuppoſe that, inſtead of tranſcribing it, he had taken the more expeditious way of making copies of it by the preſs.

It appears, therefore, that by giving the uſe either of MS. or book for hire, or without hire, I do not give the liberty of printing or reprinting it, even though no ſuch condition was mentioned. And ſo it was adjudged by my Lord Hardwicke in the caſe of a *Letter*, of which the man to whom it is written and ſent, appears to be as much proprietor, as any man of any book or MS.; and yet he is not intitled to print it. I hold it to be part of the contract of emption, when a book is ſold, that it ſhall not be multiplied. If, in the ſale of a book, it were made a condition, that the buyer ſhould not reprint it, all your Lordſhips would be of opinion, that he would not have that right. Now I ſay, that, in the caſe of a printed book, it is not only *underſtood* that the poſſeſſor of it ſhall not reprint it, but it is *expreſſed*: for the title-page bears, that it is printed, either for the author, or for ſome bookſeller, to whom he has aſſigned the right of the copy; the meaning of which cannot be, that the author

or bookfeller has a right to the copies already printed, (for as they are in his poſſeſſion ſuch advertiſement is altogether unneceſſary), but to intimate, that he has the ſole right of printing. So that the ſelling a book with ſuch a title, is in effect covenanting that the purchaſer ſhall not reprint it.

The common law of Scotland and England muſt, I think, be the ſame in this caſe, as the common law of both is founded upon common ſenſe and the principles of natural juſtice, which require that a man ſhould enjoy the fruits of his labours. For it is certainly contrary to juſtice, that a man ſhould employ perhaps his whole life in compoſing a book, and that others ſhould enjoy the profit of printing and publiſhing it, "to his very great detriment, and too often to the ruin of him and his family," as is ſaid in the preamble of the ſtatute.

It has been ſaid, that literary property is unknown in this country, and was not known till of late in England; that in this, and other kingdoms of Europe, authors did formerly ſecure to themſelves the profit of their works, by getting patents from the crown, with the excluſive privilege of printing them for a certain number of years: and particularly our great lawyers, Sir George Mackenzie, Lord Stair, and Lord Dirleton, took patents of this kind for the printing of their works. — To this I anſwer, that in thoſe times, the licenſing the preſs was held to be part of the prerogative: Sir George Mackenzie has expreſsly ſaid, that it was *inter regalia*: no man therefore had then a right to print any thing without the permiſſion of the King; ſo that every copy of a book was what is now called a prerogative-copy; and upon this foot matters ſtill continue in the other kingdoms of Europe. But in Britain, it is now admitted, that the King has no ſuch prerogative, except as to Bibles, common-prayer books, or law-books, which cannot yet be printed without his permiſſion. Of ſuch books, I think, the King may be properly enough ſaid to have the property; which, as it is defined by the ſtatute, conſiſts in the excluſive privilege of printing. And accordingly, I ſee, that in England, the King's right to prerogative-copies is maintained upon the principle of property: and the ſame right that the King has to thoſe books, every author has to the book he writes, now that the encroachment of the crown upon the liberty of the preſs is at an end. And thus I think a very good reaſon may be given why authors have now a right in their works which they were not ſuppoſed to have before.

The reprinting a book has been compared to the imitating or copying of an engine, which every man may do, if the inventor has not ſecured to himſelf the property of it by a patent. But the caſes are very different: for the printing of a book is a mere mechanical operation, which a man may perform without underſtanding one word of it; whereas no man can copy an engine, unleſs he have in his mind the idea of that engine, and know the purpoſe for which it is intended, and the mechanical powers by which it operates. Now, to far as concerns ideas, and every operation of the mind, any man who purchaſes a book is abſolute maſter of it. But with reſpect to the multiplying of copies by the mechanical operation of the preſs, that belongs only to the author. And in the ſame way the imitating a print or copperplate is to be diſtinguiſhed from the printing a book, or the taking an impreſſion of the copperplate. This laſt is a mere mechanical operation like printing; whereas the imitating a copperplate by engraving a new plate, is like copying a picture; a work of ſome taſte and genius, and often very ill performed. Every man therefore was at liberty to engrave any print, though it had been invented and firſt engraved by another, till he was prohibited by the act 8th George II. But as the two operations of engraving and printing are ſo different, no argument can proceed from the one to the other.

The laſt thing to be conſidered is, Whether, ſuppoſing a right to exiſt at common law, it be taken away by the ſtatute? And I have the ſatisfaction to find, that the judge in the court of king's-bench who was ſingle in his opinion there, as I ſhall probably be here, did not think it was taken away if it did once exiſt. The argument drawn from the word *veſting* in the title of the ſtatute, to prove that authors had no right before, is not at all concluſive; for the ſame word occurs in the title of the act annexing the eſtates lately forfeited, to the crown, which, however, did certainly belong to the crown before that act was made. The word, in both titles, ſignifies nothing more, than that a fuller right was given, and of more ready execution,

cution, than what was given by the common law. Beſides, the title of an act is but once read, whereas the preamble is thrice read, as well as the reſt of the act. Now, in the preamble of this act, the right of an author to his works is aſſerted in expreſs terms. And if there were any doubt in the matter, it is removed by that proviſo in the end of the act, by which it is declared, that nothing in the act ſhall either prejudice or confirm any right claimed by any perſon to the printing or reprinting any book or copy. This leaves the matter juſt where it was before the ſtatute, and appears to have been intended to obviate this very doubt, whether the right which formerly belonged to authors was not taken away by this ſtatute, giving them a new right, I mean a right ſecured by penalties and forfeitures.

As to the alledged inconveniencies of literary property, the cleareſt principles of law may be attended with inconveniencies; but that conſideration belongs not to us, but to the legiſlature. Here, however, I ſee no inconveniencies: on the contrary, were there not ſuch a property, ſuch a right, there would be great inconveniencies, great injuſtice. I think it would be very hard, and much to the diſcouragement of literature, if an author, after ſpending a laborious life in compoſing a book, did not provide by it, not only for himſelf, but alſo for his family. Nor is the remedy in the ſtatute againſt this evil ſufficient; for the beſt books may be twenty years publiſhed, without having their merit known, and afterwards have a great and univerſal ſale. The copy of Milton's Paradiſe Loſt was ſold for fifteen pounds, and it is probable that the bookſeller loſt by it; for it is certain, that the book was in no repute, or eſtimation, till my Lord Somers let the people of England know that they had in their language the beſt heroic poem of modern times.

Upon the whole, therefore, I am of opinion, 1*mo*, That authors had a right of property in their works before this act was made; and, 2*do*, That ſuch right was not taken away by the act.

LORD KAMES. [*Extracts.*]

—— The compoſer of a valuable book has great merit with reſpect to the public: his proper reward is approbation and praiſe, and he ſeldom fails of that reward. But what is it that intitles him to a pecuniary reward? If he be intitled, the compoſer of a picture, of a machine, and the inventor of every uſeful art, is equally intitled. Such a monopoly, ſo far from being founded on common law, is contradictory to the firſt principles of ſociety. Why was man made a ſocial being, but to benefit by ſociety, and to partake of all the improvements of ſociety in its progreſs toward perfection? At the ſame time, he was made an imitative being, in order to follow what he ſees done by others. But to beſtow on inventors the monopoly of their productions, would in effect counteract the deſigns of Providence, in making man a ſocial and imitative being: it would be a miſerable cramp upon improvements, and prevent the general uſe of them. Conſider the plough, the loom, the ſpinning-wheel. Would it not ſound oddly, that it would be rank injuſtice for any man to employ theſe uſeful machines, without conſent of the original inventors, and thoſe deriving right from them? At that rate, it would be in the power of the inventors to deprive mankind both of food and raiment. The gelding of cattle for food, was not known at the ſiege of Troy. Was the inventor intitled to a monopoly ſo as to bar others from gelding their cattle? What ſhall be ſaid of the art of printing? If the monopoly of this uſeful art was to be perpetual, it would be a ſad caſe for learned men, and for the intereſt of learning in general: it would enhance the price of books far beyond the reach of ordinary readers. Such a monopoly would raiſe a fund ſufficient to purchaſe a great kingdom. The works alone of Shakeſpeare, or of Milton, would be a vaſt eſtate. The art of making ſalt water freſh is a very late invention. Was it ever dreamed to be a tranſgreſſion againſt property, to uſe that art without conſent of the inventor?

It will be found, upon examination, that the profit of ſuch a monopoly [as that contended for] would not riſe much above what is afforded by the ſtatute. There are not many books that have ſo long a run as fourteen years; and the ſucceſs of books upon the firſt publication is ſo uncertain, that a bookſeller will give very little more for a perpetuity, than for the temporary privilege beſtowed by the ſtatute. This was foreſeen by the legiſlature; and the privilege was wiſely confined to fourteen years; a ſufficient encouragement to men

men of genius, without hurting the public intereſt. The beſt authors write for fame: the more diffuſed their works are, the more joy they have. The monopoly then is uſeful only to thoſe who write for money, or for bread, who are not always of the moſt dignified ſort. Such writers will gain very little by the monopoly; and whatever they may gain at preſent, the profits will not be of long endurance; a monopoly would put a final end to the commerce of books in a few generations. And therefore I am for diſmiſſing this proceſs, as contrary to law, as ruinous to the public intereſt, and as prohibited by the ſtatute.

LORD GARDENSTON. [*Entire.*]

I think we are bound to take notice of the pleadings in this cauſe.—They have been admirable on both ſides.—The lawyers are intitled to our thanks; and I do not believe that ever this queſtion has been debated with greater ability than by the Scotch bar.—I cannot agree with any of your Lordſhips who conſider this as a clear caſe.—I think it is a nice and difficult queſtion.—I own I have been puzzled to fix my opinion.—In my firſt reflection on the argument, I was ſtrongly inclined to embrace the opinion of a literary property.—I was moved by the great object of encouragement due to learned and ingenious men.—By the apparent juſtice and reaſon of a right and property in a man's own works, and the productions of his genius or induſtry;—and I was greatly moved by the authority of a judgement pronounced by a court of high reputation in our neighbouring country.—But my maxim is, and ever ſhall be, *Nullius addictus juraре in verba magiſtri*; and, on the fulleſt conſideration of this matter, I am now of opinion, that authors have in reaſon and equity a right to be protected in the ſole and excluſive publication of their own works for a limited time. But the nature of the thing, and the practice of nations, admits not of a real and perpetual property.

The queſtion in England depended upon the common law of that country. There is no need of argument to prove an undeniable propoſition, that we muſt judge by the common law of Scotland; in which I cannot find a ſufficient foundation for this claim of perpetual property in authors.

There are three fountains from which the common law of Scotland is derived. *1ſt*, From certain uſages and conſue- tudes which have been long and un- formly obſerved; the origin of which ſome caſes cannot be traced. Our la of death-bed is an example of this. *2dly*, A great fountain of our common law the civil law of the Romans, in ſo far it has been received in our practice, an is evidently juſt, and applicable to caſe undetermined in our own law: and ſom of our ſtatutes mention the Roman la as the common law of Scotland. *3dly*, admit into our common law every pri ciple of juſtice, as diſtinguiſhed fro mere obligations of morality, which hav been allowed and received as principl of juſtice by other civilized nations.— have examined this claim of literary pro perty under thoſe different branches o our common law.

As to the firſt, our uſage ſtands again the plea of a property in authors.—It an upſtart property in this country which authors have never claimed, an our lawyers have never aſſerted. The have always contented themſelves wit demanding that limited protection whic a patent gave. *2dly*, It is admitted, th there is no foundation for this plea in th Civil law, though we find in it the grea eſt variety and the moſt ſubtile diſtinc tions of property. *3dly*, The principl of reaſon and juſtice, as approved by civilized nations, do ſupport the author claim to a temporary protection or pr vilege, not to a property, or perpetua right.—Upon this ground I chiefly re my opinion. The moſt ſubſtantial an convincing evidence of what is really ju and rational, in a matter of public con cern to all countries, is the concurri ſenſe of nations. For above three hun dred years, and ever ſince the inventio of printing, all the nations and ſtates i Europe have, by their practice, eſtabliſh ed the nature of an author's right. The have granted no more than a temporar privilege, and in that they have all con curred. I make no narrow diſtinction of Popiſh and Proteſtant,—monarchi and free ſtates. It is certain, that ſinc the æra of printing, and of the reforma tion, even the Popiſh countries have be greatly enlightened; nor has learnin and juſtice been confined to the Protes ant and free countries only. This is th ſubſtantial ground of my opinion. I c conceive, in a queſtion of this nature, authority of equal weight with the ſen

nd concurring practice of civilized nations for ages. The ſplendid error of ne great man may miſlead many; but cannot be eaſily induced to think, hat the concurring ſenſe and practice f nations is erroneous.

It does not appear to me, that this ueſtion is of ſuch importance even to the terary trade of London bookſellers as hey ſeem to imagine; and I am clear hat authors have no concern in the ueſtion at all. The term of legal proection outlives the great bulk of books hat are publiſhed. Nine hundred and inety-nine of a thouſand have little meit but their novelty: they are once ead by idle people for amuſement, and re never thought of again. How few ooks publiſhed in the laſt century are eprinted in this? How few books of his will be reprinted in the next? We ad in Scotland ſome good ſolid lawbooks, and books of wild divinity; the atter may exiſt in ſome odd libraries. Lord Stair's Inſtitutions has been reprinted, by which, I am informed, the bookſeller loſt. That book was reprinted without leave of his heirs; indeed I know not how many people muſt have been applied to, had it been underſtood o be *in bonis* of Lord Stair. And even the beſt authors are obliged to ſell their works to the bookſeller.

When I conſider this queſtion of literary property upon principles of reaſon and expediency, I find ſo many intricacies, ſomething ſo anomalous and inconſiſtent, in this idea of perpetual property in an author's work after he has publiſhed it to all the world, that I cannot aſſent to it. The great argument, or *ratio dubitandi*, which I own at firſt almoſt convinced me, is, that the author has undoubtedly a property-right in the riginal manuſcript compoſed by himelf; why ſhould he loſe it by publicaion, as he intends only to give the inruction or pleaſure of reading, not the rofit of publication or reprinting? I nſwer, that certainly the author has a eal property in the manuſcript of his wn work; but, in the nature of the hing, by publication, he gives his work o the public, and he gives the ſame ſpecies of property to every individual who uys his book, which he had in the oriinal copy before publication. This is a atural, a neceſſary, and a legal conſequence of the ſale; and it has been ſo underſtood and ſettled by the ſenſe and practice of nations ever ſince printing was introduced: ſo that every man who purchaſes a book, being thereby unqueſtionably proprietor, has a right to uſe it at his diſcretion; to multiply the copies by tranſcribing, or by printing, except in ſo far as he may be reſtrained by ſtatute, or the legal interpoſition of the ſovereign, or the equitable injunctions of the civil magiſtrate.

I have never been able to find a ſolid and ſubſtantial diſtinction between the right of an author in his book after publication, and the right of a perſon who invents a machine, after he makes it public. The diſtinctions which I have heard in the courſe of this debate, appear to me too metaphyſical and immaterial. When I was inclined to the opinion of literary property, and bent to anſwer this objection, I found it inſurmountable; at leaſt, the diſtinctions are too nice for my diſcerning, or too unſubſtantial for my principles of judging in matters of right. I will draw the compariſon in every material point, and I think they coincide exactly. The author has a property admitted on both ſides in the manuſcript copy of his compoſition before publication. Is there any doubt that the inventor of a machine, which may be more beneficial to mankind than any book, has alſo a property in his work before it is made public?—It is ſaid, that the author of a book cannot be ſuppoſed to intend by publication and ſale to part with his property in the literary compoſition, as contained in the original manuſcript; and may it not with equal reaſon be ſuppoſed, that the inventor of a machine does not mean to ſell his art or invention? he ſells only the individual machine, to be uſed for the purpoſes which it was contrived to ſerve. A diſtinction was made, that the mechanic who makes a machine, after the model of the original inventor, employs his own art and genius; it is an act of imitation, which he cannot be barred from exerciſing: but the act of reprinting is merely mechanical, having no ſimilarity to the author's art or genius. This ſeems alſo an immaterial diſtinction. The moſt ſtupid mechanic, incapable of any invention, far leſs the moſt ſublime and uſeful, can as eaſily execute a machine, when he ſees the model or original compoſition, as the moſt ignorant bookſellers and printers can make a new edition of a book without any ſhare of the author's

taſte

taſte or genius. There is nothing can be more ſimilar, than the work of engraving is to literary compoſition. I will illuſtrate this propoſition by the works of Mr Hogarth, who, in my humble opinion, is the only truly original author which this age has produced in England. There is hardly any character of an excellent author which is not juſtly applicable to his works; what compoſition—what variety—what ſentiment—what fancy—invention—and humour—we diſcover in all his performances! In every one of them an entertaining hiſtory, a natural deſcription of characters, and an excellent moral. I can read his works over and over. Horace's characteriſtic of excellency in writing, *Decies repetita placebit*; and, every time I peruſe them, I diſcover new beauties, and feel freſh entertainment. Can I ſay more in commendation of the literary compoſitions of a Butler or a Swift? There is great authority for this parallel. The legiſlature has conſidered the works of authors and engravers in the ſame light; they have granted the ſame protection to both; and it is remarkable, that the act of parliament for the protection of thoſe who invent new engravings, or prints, is almoſt in the ſame words with the act for the protection and encouragement of literary compoſitions.

The ſtrange conſequences which would ariſe from this new doctrine of perpetual property in authors, have been well explained, and have great weight in my opinion. I ſhall mention ſome of thoſe conſequences, which affect me moſt. There is either an abſolute right of property in authors, or only an equitable claim to protection and excluſive publication for a limited time.——The laſt is agreeable to the practice of nations, and, I think, to material juſtice and expediency. If we admit the firſt, it is an unlimited right of property, and muſt have all the effects of property in other ſubjects. Let us try this literary property, by applying the principles of property in other ſubjects to it. This is a fair teſt to diſcover if it be current and legitimate property or not. There are three material things which concern property. *1ſt*, The objects or ſubjects of it. *2dly*, The manner or mode in which it is conveyed among the living. *3dly*, The manner in which it is transferred from the dead to the living. The ordinary ſubjects of property are well known, and eaſily conceived. We have lands and tenements, houſes and gardens, fiſhing and moveables of great variety. But property, when applied to ideas, or literary and intellectual compoſitions, is perfectly new and ſurpriſing. In a law-tract upon this ſpecies of property, the diviſion of its ſubjects would be perfectly curious; by far the moſt comprehenſive denomination of it would be, a property in no ſenſe. It muſt alſo be branched out into the property of bawdy, blaſphemy, and treaſon. For an inſtance, we might ſpecify Mr Wilkes's property in N° 45; in his licentious Eſſay on Woman [xxv. 182. 622. 628.—632.]; and in his abominable writings to inflame and divide the minds of a people united by nature, intereſt and government. By the juſt principles of property, no man can loſe his right in whole or in part, without his own act and conſent. According to this principle, I cannot think it would be juſtifiable to tranſlate a book without the author's warrant; for thereby you take the benefit and profit of his compoſition. You take his ideas, his ſenſe and meaning, which is really his literary property from him; as if I ſhould take a piece of cloth from a manufacturer, and dye it of a different colour; I have taken the ſubſtance from the owner, the ſuperficial appearance is only my own. This puts me in mind of the method practiſed by Mr *Bayes* in the *Rehearſal*, to appropriate other mens wit. Mr *Bayes* ſays, "I take a book in my hand; if there is any wit in it, as there is no book but has ſome wit, if the wit be in proſe, I turn it into verſe; this I call *tranſverſing*, and ſo I make it *my own*; if," ſays he, "it be in verſe, I turn it into proſe, which I call *tranſproſing*, and make that my own." Mr Bayes had a perfect idea of this literary property, and had a method of ſtealing wit from converſation too. "I go," ſays he, "where witty men reſort; I make as if I minded nothing,—do you mark;—if any one ſays a good thing, pop! I flap it down;—and ſo make that my own too!"

If this is a real property, it muſt be theft to publiſh an author's work without a right from him. Literary property makes a ſtrange figure in this view. The theft of all other property muſt be gainful, if the thief eſcape with impunity: but this is a perilous theft by the nature of it; in many caſes the thief will be a loſer by taking the author's property

perty; for bookſellers know well, that many a publication is attended with loſs. In moſt caſes, it would be but petty larceny; at worſt, in a very few, the moſt aggravated and capital crime.——Who ſteals from common authors, ſteals traſh; but he who ſteals from a *Spencer*, a *Shakeſpeare*, or a *Milton*, ſteals the fire of heaven, and the moſt precious gifts of nature.—So we muſt have new ſtatutes to regulate thoſe literary felonies.

Let us puſh this analogy of the principle of property in other ſubjects a little farther. If the publication of a whole work is theft, to publiſh parts of it muſt alſo be theft; as a man is undeniably a thief who ſteals five guineas out of my purſe, in which there is twenty:—quotation is therefore literary theft. I have always believed that the author of a book called the *Elements of Criticiſm* is an ingenious man, and a very honeſt gentleman; but in this view of the matter, he lies under a very criminal charge; every page of his book is enriched with quotations from the moſt claſſical poets and other authors.

The moſt perplexing difficulties would ariſe by the tranſmiſſion of this property from the dead to the living. By the principles of our law, a man's moveable eſtate is underſtood to lie *in bonis defuncti*, until it is veſted in proper form in the perſon who is intitled to take that ſucceſſion. It ſounds oddly, that a man's ideas and his literary compoſitions ſhould lie *in bonis defuncti*. Shall learning and genius be veſted in an idiot by confirmation? But there are more ſerious inconveniencies and incongruities from this perpetual ſucceſſion in literary property. By the law of Scotland, poſſeſſion of moveables preſumes property, and this property is unembarraſſed by any written titles; but the literary property muſt for ever be tranſmitted by titles in writing, and a perpetual progreſs of title-deeds will be neceſſary. Though land-eſtates are ſecured by a proper title, and forty years poſſeſſion, which cannot be applicable to this ſpecies of property; in the courſe of time, and various ſucceſſions, it muſt happen, that the property of books muſt be ſplit and divided among a vaſt and indefinite number of ſharers. No publication can be legally made without the concurrence of all the common proprietors; for it is an indiviſible property, and the inextricable inconveniencies ariſing from this are apparent.

As to the authorities from the law of England, I ſhall ſay little. We muſt judge from our own laws, and our own ideas of property. I cannot however think, that the injunctions in chancery are to be conſidered as judgements upon the right. Conſiderations of equity in particular caſes may afford ſufficient ground for a temporary injunction, without ſuppoſing a perpetual property. The ſtatute of Queen Anne, which no doubt extends to Scotland, is, in my opinion, no foundation of a juſt argument on either ſide of the queſtion; for the ſaving clauſe expreſsly leaves the point of any ſeparate right which authors may claim, entire and undetermined.

Upon the whole, I am of opinion, that by the common law of Scotland, authors have no property or perpetual right in their works after publication; and that it would neither be juſt nor expedient to allow it.

Henry's hiſtory of G. Britain. [xxxiv. 654.]

Book 2. chap. 4. Learning.

EXTRACTS.

Though the Engliſh began to apply to learning in the former part of the ſeventh century, yet it was near the concluſion of it before any of them acquired much literary fame. Aldhelm, a near relation, if not the nephew, of Ina, King of the Weſt-Saxons, was the firſt who did ſo. Having received the firſt part of his education in the ſchool which one Macdulf, a learned Scot, had ſet up in the place where Malmſbury now ſtands, he travelled into France and Italy for his improvement. At his return home, he ſtudied ſome time under Adrian, Abbot of St Auguſtin's in Canterbury, the moſt learned profeſſor of the ſciences who had ever been in England. In theſe different ſeminaries, he acquired a very uncommon ſtock of knowledge, and became famous for his learning, not only in England, but in foreign countries; whence ſeveral learned men ſent him their writings for his peruſal and correction; particularly Prince Arcivil, a ſon of the King of Scotland, who wrote many pieces, which he ſent to Aldhelm, "intreating him to give them the laſt poliſh, by rubbing off their Scotch ruſt." He was the firſt Engliſhman who wrote in the Latin language both in proſe and verſe, and compoſed a book for the inſtruction of his countrymen in the proſody of that language. Beſides this, he wrote ſeveral

other treatiſes on various ſubjects; ſome of which are loſt, and others publiſhed by Martin Delrio and Caniſius. Venerable Bede, who flouriſhed in the end of this and the beginning of the next century, gives the following character of Aldhelm: "He was a man of univerſal erudition, having an elegant ſtyle, and being wonderfully well acquainted with books, both on philoſophical and religious ſubjects." King Alfred the Great declared, that Aldhelm was the beſt of all the Saxon poets; and that a favourite ſong, which was univerſally ſung in his time, near 200 years after its author's death, was of his compoſition. When he was abbot of Malmſbury, having a fine voice, and great ſkill in muſic as well as poetry, and obſerving the backwardneſs of his barbarous countrymen to liſten to grave inſtructions, he compoſed a number of little poems, which he ſung to them after maſs in the ſweeteſt manner; by which they were gradually inſtructed and civilized. After this excellent perſon had governed the monaſtery of Malmſbury, of which he was the founder, about thirty years, he was made biſhop of Shereburn, where he died A. D. 709.

Though Theodore, who was advanced to the archbiſhoprick of Canterbury A. D. 668, was not an Engliſhman by birth; yet as he contributed ſo much to the introduction and improvement of learning in England, he merits our grateful remembrance in this place. This excellent prelate, who was a native of Tarſus in Cilicia, and one of the moſt learned men of his age, being promoted by the Pope to the government of the infant-church of England, and informed of the groſs and general ignorance of the people of that country, reſolved to promote the intereſt of uſeful learning amongſt them, as the moſt effectual means of promoting that of true religion. With this view he brought with him from Rome a valuable collection of books, and ſeveral profeſſors of the ſciences, particularly Abbot Adrian, to aſſiſt him in the education of the Engliſh youth. This ſcheme, as we learn from Bede, was crowned with the greateſt ſucceſs. "Theſe two great men, (Theodore and Adrian), excelling in all parts of ſacred and civil learning, collected a great multitude of ſcholars, whom they daily inſtructed in the ſciences, reading lectures to them on poetry, aſtronomy, and arithmetic, as well as on divinity and the holy ſcriptures."

The circle of the ſciences that were taught and ſtudied in England in the ſeventh century, when learning was in its infancy, we cannot ſuppoſe to have been very large, though it was not really ſo confined as we might, on a ſuperficial view, imagine. Grammar, particularly that of the Greek and Latin languages, was taught and ſtudied with much diligence, and no little ſucceſs. Venerable Bede aſſures us, that he had converſed with ſome of the ſcholars of Theodore and Adrian, who underſtood Greek and Latin as well as they did their native tongue. It is evident from the works of Aldhelm which are ſtill extant, that he had read the moſt celebrated authors of Greece and Rome, and that he was no contemptible critic in the languages in which theſe authors wrote. The teſtimony of a cotemporary, well acquainted with the ſubject, is always moſt ſatisfactory, when it can be obtained; and therefore the reader will not be diſpleaſed with the following account given by Aldhelm himſelf, in a letter to Hedda biſhop of Wincheſter, of the ſciences which he and others ſtudied in the ſchool of Canterbury.

"I confeſs, Moſt Reverend Father, that I had reſolved, if circumſtances would permit, to ſpend the approaching Chriſtmas in the company of my relations, and to enjoy, for ſome time, the felicity of your converſation. But ſince I now find it will be impoſſible for me to accompliſh that deſign, for various reaſons, which the bearer of this letter will communicate, I hope you will have the goodneſs to excuſe my not waiting upon you as I intended. The truth is, that there is a neceſſity for ſpending a great deal of time in this ſcat of learning, eſpecially for one who is inflamed with the love of reading, and is earneſtly deſirous, as I am, of being intimately acquainted with all the ſecrets of the Roman juriſprudence. Beſides, there is another ſtudy in which I am engaged, which is ſtill more tedious and perplexing,—to make myſelf maſter of all the rules of a hundred different kinds of verſes, and of the muſical modulation of words and ſyllables. This ſtudy is rendered more difficult, and almoſt inextricable, by the great ſcarcity of able teachers. But it would far exceed the bounds of a familiar letter to explain this matter fully,

and

and lay open all the ſecrets of the art of metre, concerning letters, ſyllables, poetic feet and figures, verſes, tones, time, &c. Add to this the doctrine of the ſeven diviſions of poetry, with all their variations, and what number of feet every different kind of verſe muſt conſiſt of. The perfect knowledge of all this, and ſeveral other things of the like kind, cannot, I imagine, be acquired in a ſhort ſpace of time. But what ſhall I ſay of arithmetic, whoſe long and intricate calculations are ſufficient to overwhelm the mind, and throw it into deſpair? For my own part, all the labour of my former ſtudies, by which I had made myſelf a complete maſter of ſeveral ſciences, was trifling, in compariſon of what this coſt me; ſo that I may ſay, with St Jerome, upon a ſimilar occaſion,—Before I entered upon that ſtudy, I thought myſelf a maſter; but then I found I was but a learner.--However, by the bleſſing of God, and aſſiduous reading, I have at length overcome the greateſt difficulties, and found out the method of calculating ſuppoſitions, which are called the parts of a number. I believe it will be better to ſay nothing at all of aſtronomy, the zodiac, and its twelve ſigns revolving in the heavens, which require a long illuſtration, than to diſgrace that noble art by too ſhort and imperfect an account; eſpecially as there are ſome parts of it, as aſtrology, and the perplexing calculation of horoſcopes, which require the hand of a maſter to do them juſtice."

This account of the ſtudies of the youth of England who applied to learning, as it was written by one of themſelves, exactly 1100 years ago, is really curious, though we have no reaſon to conclude that it contains a complete enumeration of all the ſciences that were then cultivated in England, but only of thoſe in the ſtudy of which the writer was then engaged. Abp Theodore read lectures on medicine; but Bede hath preſerved one of his doctrines, which doth not ſerve to give us a very high idea of his knowlege in that art, viz. "That it was very dangerous to perform phlebotomy on the fourth day of the moon; becauſe both the light of the moon, and the tides of the ſea, were then upon the increaſe." Muſic, logic, rhetoric, &c. were then taught and ſtudied; but in ſo imperfect a manner, that it is unneceſſary to be more particular in our account of them.——

One thing that greatly retarded the progreſs of learning among the Engliſh, and made the acquiſition of literary knowledge extremely difficult in the ſeventh century, was the prodigious ſcarcity of books, which had been either carried away by the Romans, or ſo entirely deſtroyed by the Scots, Picts, and Saxons, that it is a little uncertain whether there was ſo much as one book left in England before the arrival of Auguſtin [in the preceding century]. Nor was this deficiency eaſily ſupplied, as there was a neceſſity of bringing them all from foreign countries, and chiefly from Rome, where they could not be procured without great difficulty, and a moſt incredible expence. One example will be ſufficient to give the reader ſome idea of the price of books in England in this century. Benedict Biſcop, founder of the monaſtery of Weremouth in Northumberland, made no fewer than five journies to Rome to purchaſe books, veſſels, veſtments, and other ornaments, for his monaſtery; by which he collected a very valuable library; for one book out of which, (a volume on coſmography), King Aldfred gave him an eſtate of eight hides, or as much land as eight ploughs could labour. This bargain was concluded by Benedict with the King a little before his death, A. D. 690; and the book was delivered, and the eſtate received by his ſucceſſor Abbot Ceolfred. At this rate, none but kings, biſhops, and abbots, could be poſſeſſed of any books; which is the reaſon that there were then no ſchools but in kings palaces, biſhops ſeats, or monaſteries. This was alſo one reaſon why learning was then wholly confined to princes, prieſts, and a very few of the chief nobility.

The eighth century ſeems, upon the whole, to have been the moſt dark and diſmal part of that long night of ignorance and barbariſm that ſucceeded the fall of the Roman empire. This is acknowledged by all the writers of literary hiſtory, who repreſent the nations on the continent as in danger of ſinking into the ſavage ſtate, and loſing the ſmall remains of learning that had hitherto ſubſiſted amongſt them.——

The ſciences commonly taught and ſtudied in the eighth century were few and imperfect. It ſeems to have been in this period that the famous diviſion of the ſeven liberal arts or ſciences into the *trivium* and *quadrivium* took place.

The *trivium* comprehended grammar, rhetoric, and logic; the *quadrivium*, muſic, arithmetic, geometry, and aſtronomy, according to the following barbarous verſes.

Gramm. loquitur, *Dia.* vera docet, *Rhet.* verba colorat,
Muſ. canit, *Ar.* numerat, *Geo.* ponderat, *Aſt.* colit aſtra. *Brucker Hiſt. Philoſ. t.* 3. *p.* 597.

John of Saliſbury, who flouriſhed in the twelfth century, ſpeaks of this diviſion of the ſciences as of very great antiquity in his time. "The ſciences are divided (ſays he) into the *trivium* and *quadrivium*; which were ſo much admired by our anceſtors in former ages, that they imagined they comprehended all wiſdom and learning, and were ſufficient for the ſolution of all queſtions, and the removing of all difficulties: for whoever underſtood the *trivium*, (grammar, rhetoric, and logic), could explain all manner of books without a teacher; but he who was further advanced, and comprehended alſo the *quadrivium*, (muſic arithmetic, geometry, and aſtronomy), could anſwer all queſtions, and unfold all the ſecrets of nature." How ancient is the art of concealing ignorance under ſpecious pretences to knowledge! Natural and experimental philoſophy was totally neglected; nor were the foundations and principles of morals any part of the ſtudy of the learned in this period.——

That we may not entertain too contemptible an opinion of our forefathers who flouriſhed in the benighted ages which we are now examining, it is neceſſary to pay due attention to their unhappy circumſtances. To ſay nothing of that contempt for letters which they derived from their anceſtors, and of the almoſt inceſſant wars in which they were engaged, it was difficult, or rather impoſſible, for any but the clergy, and a very few of the moſt wealthy among the laity, to obtain the leaſt ſmattering of learning; becauſe all the means of acquiring it were far beyond their reach. It is impoſſible to learn to read and write even our own native tongue, which is now hardly eſteemed a part of learning, without books, maſters, and materials for writing; but in thoſe ages all theſe were ſo extremely ſcarce and dear, that none but great princes and wealthy prelates could procure them. We have already heard of a large eſtate given by a King of Northumberland for a ſingle volume; and the hiſtory of the middle ages abounds with examples of that kind. How then was it poſſible for perſons of a moderate fortune to procure ſo much as one book, much leſs ſuch a number of books as to make their learning to read an accompliſhment that would reward their trouble? It was then as difficult to borrow books as to buy them. It is a ſufficient proof of this, that a King of France was obliged to depoſit a conſiderable quantity of plate, and to get one of his nobility to join with him in a bond, under a high penalty, to return it, before he could procure the loan of one volume, which may now be purchaſed for a few ſhillings. Materials for writing were alſo very ſcarce and dear, which made few perſons think of learning that art. This was one reaſon of the ſcarcity of books; and that great eſtates were often tranſferred from one owner to another by a mere verbal agreement, and the delivery of earth and ſtone, before witneſſes, without any written deed. Parchment, in particular, on which all their books were written, was ſo difficult to be procured, that many of the MSS of the middle ages which are ſtill preſerved, appear [xxxiv. 637. xxxv. 433.] to have been written on parchment from which ſome former writing had been eraſed. But if books and materials for writing were in thoſe ages ſo ſcarce, good maſters, who were capable of teaching the ſciences to any purpoſe, were ſtill ſcarcer, and more difficult to be procured. When there was not one man in England to the ſouth of the Thames who underſtood Latin, it was not poſſible to learn that language, without ſending for a teacher from ſome foreign country. In theſe circumſtances can we be ſurpriſed, that learning was ſo imperfect, and in ſo few hands? The temple of Science was then but a homely fabrick, with few charms to allure worſhippers, and at the ſame time ſurrounded with ſteep and rugged precipices, which diſcouraged their approach.

Beſides the great difficulty of procuring maſters who were capable of teaching the ſciences, in the times we are now conſidering, the perplexing incommodious methods in which they were taught, rendered the acquiſition of a moderate degree of knowledge a very tedious and laborious work. How difficult, for example, was the acquiſition of arithmetic in this period, before the introduction

duction of the Arabian figures, when the teachers of this ſcience had no other marks for numbers but the following ſeven letters of the Roman alphabet, MDCLXVI, or the twenty-ſeven letters of the Greek alphabet? We are apt to be ſurpriſed to hear Aldhelm, the moſt learned and ingenious man of the age in which he lived, ſpeaking of arithmetic as a ſcience almoſt exceeding the utmoſt powers of the human mind, when we know that it is now acquired by every boy of a common capacity, with great eaſe, and in a little time. But our ſurpriſe will ceaſe, when we reflect on the great facility of expreſſing and managing numbers by the help of the Arabian figures, which were then unknown, but are now in common uſe. "The uſefulneſs (ſays Wallis, Algeb. c. 5. an excellent judge) of theſe numeral figures, which we received from the Arabs, and they from the Indians, is exceeding great in all parts of arithmetic; inſomuch that we, to whom it is now known, cannot but wonder how it was poſſible for the ancients to manage great numbers without it. And certainly, ſuch vaſt numbers as we are now wont to conſider, could not in any tolerable way be managed, if we had no other way of deſigning numbers than by the Latin numeral letters M DC LX VI. 'Tis true the ancients had the ſame way of diſtributing numbers that we have, collecting units into tens, and tens into hundreds, and hundreds into thouſands, and thouſands into myriads, &c.; but they wanted a convenient way of notation or deſignation of them, proportional to that diſtribution; inſomuch that when they came to thouſands or myriads, they had ſcarce any more convenient ways of deſigning them than by words at length for want of figures. It was probably this want of figures that gave riſe to digital or manual arithmetic; in which numbers were expreſſed, and calculations made, by the different poſitions of the hands and fingers. This appears to us a childiſh play; but it was then a ſerious ſtudy, and is explained at great length by Venerable Bede: for mankind commonly fall upon various contrivances for accompliſhing their deſigns, before they hit upon that which is at once the moſt eaſy and the moſt effectual. In this period, muſic was a moſt important part of a learned education, and one of the four ſciences which conſtituted the *quadrivium*, or higheſt claſs of philoſophical learning. But the modes of teaching both the theory and practice of muſic, were ſo imperfect and incommodious, that the youth commonly ſpent nine or ten years in the ſtudy of it, to no great purpoſe, until Guydo Aretin, a monk of St Croix in Italy, in the eleventh century, invented the ſcale or gamut now uſed, which greatly facilitated the acquiſition of this ſcience. The ſame obſervation might be made concerning the methods of teaching geometry, aſtronomy, and all the other ſciences. Theſe methods were ſo imperfect and perplexed, that it required much longer time, and greater degrees of genius and application, to make any proficiency in theſe ſciences, than it doth at preſent. For theſe reaſons, we ought rather to felicitate ourſelves on the happineſs of our circumſtances for the acquiſition of knowledge, than to boaſt of our ſuperior talents, or inſult the memory of our anceſtors on account of their ignorance, which was in a great meaſure unavoidable.

The hiſtorian quotes his authorities regularly: but for theſe we refer to the book.

Subſtance of the act for raiſing a ſum not exceeding 265,000l. by life-annuities, with benefit of ſurvivorſhip, in Ireland.

ANY perſon or perſons, natural-born ſubjects or foreigners, who ſhall pay into his Majeſty's treaſury in Ireland, the ſum of one or more hundreds of pounds, is to receive an annuity of ſix pounds by the hundred for every hundred pounds ſubſcribed, during the life or lives of the perſons nominated by the ſubſcriber, with additional intereſt from time to time, by benefit of ſurvivorſhip, until the annuity payable to each ſubſcriber ſhall amount to a ſum equal to, but never to exceed, the principal ſum originally advanced.

The ſums ſubſcribed are to be paid into the treaſury at three different periods, 20 per cent. on or before the 1ſt of March next; 40 per cent. on or before the 1ſt of June next; and 40 per cent. to complete the payment, on or before the 24th of July next. The annuities are to commence from Dec. 25. 1773.

The ſubſcribers are to name their lives or nominees on or before the 24th of July next, the time that they make the laſt payment of their ſubſcriptions, by which delay every ſubſcriber has added to the

value

value of his life or lives, the further advantage of ſix months time to conſider upon what life or lives he ſhall chuſe to put his ſubſcription, or to ſell the ſame in the mean time, as he ſhall like beſt.

Subſcribers may name diſtinct lives for each hundred, or one life for ſeveral hundred pounds.

When the ſubſcriptions are completed, and the lives named, the ſeveral nominees and lives will be divided into three claſſes; one of perſons under twenty; a ſecond of perſons of twenty and upwards, but under forty; a third of perſons of forty and upwards; and the ſubſcribers will be claſſed accordingly, and have the benefit of ſurvivorſhip in their reſpective claſſes, with lives of the ſame value; ſo that lives of forty and upwards, &c. may not run againſt younger lives.

To avoid fractional diviſions, and the expence and difficulty of keeping long and intricate accounts, no diſtribution will be made of the ſums accruing by ſurvivorſhip in the ſeveral claſſes, till they ſhall be ſufficient to pay an additional intereſt of one half per cent.

Books are opened in the Deputy Vice-Treaſurer's office, in which will be entered the names of the ſubſcribers, the ſums by them advanced, and the reſpective times of payment, and alſo the names, ages, and additions of the ſeveral nominees; and debentures will be iſſued to perſons who ſhall complete their ſubſcriptions, in which will be expreſſed the Chriſtian and ſurnames, additions, places of abode, ages, and other deſcriptions of the nominees; which debentures may be aſſigned or deviſed.

For the benefit of minors, guardians may, with the approbation of the Lord Chancellor, Lord Keeper or Keepers of the Great Seal, for the time being, ſubſcribe for infants.

The duties granted for the payment of theſe annuities are thrown into the loan-fund, where the whole is aggregated together in one maſs, and out of which fund the annuitants will be paid, half-yearly, at the ſame time, and in the ſame manner, as the reſt of the public creditors.

The other clauſes of the bill are deſigned principally to guard againſt frauds and concealment of the deaths of the nominees, in order that the ſubſcribers may have the full benefit of the ſurvivorſhip. [xxxv.669.]

Mr URBAN, *Dec.* 1773.

The undoubted original of the following letter fell into my hands ere the ink was dry. If it ſhould ſtrike you as it did me, the trouble of tranſcribing it will be more than repaid. Yours, &c. T. C.

WAS ever ſituation ſo circumſtanced as mine? unfortunate in the midſt of happineſs, ruined by ſucceſs, and driven to deſpair by the attainment of my wiſhes.

Why, ye powers, did you not give to the lovely Sophia leſs love, or more reſolution to reſiſt; or to me a ſmaller ſhare of art and endearments to perſuade? Had I never poſſeſſed her, I had ſtill been happy. But ſhe, by liſtening to my prayers, has undone my quiet: for I am doomed, in ſpite of reaſon, of honour, and of gratitude, to entertain ſuſpicions of that virtue which melted before the flame of my love; yet ſtill, in ſpite of thoſe ſuſpicions, to continue to love and adore.

In vain I repreſent to myſelf, that the conqueſt was the conſequence of my aſſiduity; that her paſſion for me was the unhappy cauſe of an unbounded confidence in me; and that art in me finiſhed what nature had begun in her.

For, alas! reflection ſtill draws me back to imagine, that looks as paſſionate, vows as ardent, a manner as engaging, and a form as pleaſing, as ſeduced her at firſt, may again find acceſs to her heart; and the ſame cauſe may, nay muſt, have the ſame effect; what pleaſed in me, may pleaſe in another; for ſelf-love fails me, when I ſtrive to flatter myſelf as being poſſeſſed of attractions which only can allure.

To what, then, can I have recourſe for peace! Shall I be moved by her tears, and yield to her intreaties, (the only means of preſerving her!), by adding the ties of honour to thoſe of love, and creating in her a duty to ſecure her affection?

Shall I excite the devotion of the wife, to preſerve and endear the tenderneſs of the miſtreſs? Ah! no; in proportion as I ſhall have more at ſtake, my apprehenſions muſt increaſe; every circumſtance that can augment our connections, muſt add force to my fears: nor can I hope they will be extinguiſhed in matrimonial endearments; for all the attention of her life, the moſt artleſs love, the moſt ſtudied affection, can never ſatisfy where the conviction of reaſon has failed.

How

How can I expect to find a cure for my ſuſpicions in her behaviour, who doubt even in ſpite of myſelf! She cannot undo what is done! ſhe cannot recal the luckleſs moment, when, in ſpite of the reſtraints of her ſex, her virtue fell a victim! nor therefore can ſhe ſave me from the torturing thought, that, weakened as the fortreſs is by the demolition of the ſtrong outworks of prejudice, it is rendered the readier to ſurrender by being familiariſed to the idea of a ſurrendry: for oppoſition will be ever more or leſs faint, in proportion as the worſt of the event can be expected with more or leſs concern; and female virtue is half ſubdued at leaſt, when it has once brought itſelf to think that it may fall.

But ſince happineſs is not to be found with her, ſhall I endeavour to ſeek it without her? and, baniſhing myſelf from her ſight, ſhall I take the firſt ſtep to wean from her my heart? Honour calls me back, and forbids me to forſake her who forſook all for me! gratitude interpoſes, and prevents me from cauſing her ſufferings, who threw aſide all that was dear to her to remove mine! and love, yet ſtronger than the calls of honour, and the ties of gratitude, ſtill nurſes that paſſion which poſſeſſion has but heightened, and inceſſantly prompts my deſire for an object, where concentred meets every charm, which, ſeparately diſtributed, could create and diſtinguiſh beauty; where every grace attends on every charm; where art rivals nature, and the ornaments of the mind vie with the perfections of the perſon; where ſenſe, which might command attention in the parties of the philoſophers, is ſoftened and adorned by taſte, which might add refinement to the poliſhed aſſemblies of the courtier.

Can it be wondered that I have ſo ſtrong an attachment to ſo valuable a poſſeſſion? can it be wondered that I dread to loſe it? Attracted by unbounded love, repelled by inextinguiſhable ſuſpicion, when I think of leaving her, I ſee nothing before me but deſpair; and when for quiet I indulge the oppoſite thought, and incline to ſatisfy her prayers, and my wiſhes, then Jealouſy, with all her gloomy train, ſtartles my imagination, and drives me back to my former diſtraction.

Since doomed to miſery myſelf, may I have the conſolation of being a warning to others! Let the gay, the giddy, the gallant, know, that anguiſh is not the portion of the ſeduced, the deſerted, the miſerable fair alone! If a miſtaken notion of gallantry, built on vanity from the attractions of their perſons, and on glory from an idea of conqueſt, be the idle motive of ſo much miſchief; let them know, that, ſooner or later, remorſe will make ſufficient atonement for the deſtruction of the peace of a mind, whoſe only crime was fondneſs for them, and for the ruin of a reputation, which never, alas! can be repaired.

But if Love mixes his gentle force, let them prepare for a dilemma like mine, and with a life of care dearly repay a moment of pleaſure. Let them prepare for an anguiſh of mind, which will increaſe in proportion to delicacy of ſentiment and refinement of honour.

SIR, *London, Nov.* 1773.

IT ſeems to me ſomething ſurpriſing, that among the ſeveral different hints at times appearing in the papers, relating to the dreadful increaſe of irreligion and wickedneſs, there ſhould be ſo little notice taken of one vice in particular, which, like a peſtilence, at this time ſpreads its baneful influence over the whole iſland; I mean that moſt enormous and execrable vice of impurity, which, by all accounts, never arrived to ſo great a pitch as in the preſent age.

It is the common talk and matter of ſurpriſe, in all companies where there is a ſpark of zeal for religion and morality left, that this deteſtable vice ſhould be ſuffered to run on to ſuch an amazing degree of impudence and boldneſs, to the ſcandal and wonder of good Chriſtians.

Indeed, Sir, it is now arrived at ſuch a pitch, that modeſt people can ſcarcely walk the ſtreet but their eyes and ears muſt be ſhocked with immodeſties of one ſort or other: for if they chance to caſt their eyes towards the windows of the print-ſhops as they paſs along, they are almoſt ſure to ſee a number of immodeſt prints expoſed for public ſale, and (to their greater mortification) oftentimes a croud of young people gazing at them, and examining them with the ſtricteſt nicety and greateſt pleaſure imaginable; and what an impreſſion ſuch foul repreſentations muſt leave upon their minds, naturally too inclined to evil, may be eaſily conceived. If they go by the ſtatuaries, there again they muſt meet with figures and ſtatues as immodeſt almoſt as the art of man can make them; and unleſs

leſs they ſtop their ears, theſe too muſt be conſtrained to receive the filthy ſounds of immodeſt ſongs, airs, and ſpeeches, in almoſt every ſtreet they paſs through.

But above all, that prodigious number of bad women permitted to go and be every where without the leaſt controul or reſtraint, the laſcivious and ſhameful actions committed in the public gardens and places of reſort about this metropolis, the many innocent young girls daily drawn away and debauched at an age I am aſhamed to name, and never heard of formerly amidſt the worſt and moſt degenerate times, is enough to fill any thinking perſon with horror and amazement.

In ſhort, this vice, with all its branches, ſeems to grow daily upon us; and what a long train of evils does it not give birth to! Hence thoſe ſo frequent and ſcandalous divorces in high life: hence that contempt of the matrimonial ſtate among all ranks of people, and that public and modiſh keeping of miſtreſſes among the great; hence that almoſt infinite number of illegitimate children all over the kingdom, and that ſhameful diſtemper ſo common among the votaries of Venus; beſides rapes, duelling, and many other evils too tedious to mention. If we look into futurity, what a dreadful proſpect! There the miſerable victims of fleſh and blood will be perpetually deprived of the kingdom of God, into which no unclean thing can enter, as the ſcripture informs us: there the part of fornicators, adulterers, effeminate, &c. ſhall be in the lake of fire and brimſtone, where will be weeping and gnaſhing of teeth eternal. The ſcripture is full of examples of God's judgements upon the perpetrators of thoſe crimes; which ſhew how odious they are in his ſight.

And have we not reaſon to think, that religion, modeſty, and every other virtue, will ſoon be baniſhed our iſland, if this vice be ſuffered to go on as it does? It were to be wiſhed that the Head of the Nation, who (to his honour be it ſaid) in his own perſon and practice utterly diſcountenances ſuch crimes, would effectually endeavour, by wholeſome laws and puniſhments, to put a ſtop to ſuch growing evils in his ſubjects; as God's honour is here concerned, and the welfare of his kingdom; which may otherwiſe in a ſhort time become a ſecond Sodom of iniquity, and draw down upon our guilty heads puniſhments like thoſe inflicted upon that unhappy city.—I am, &c.

A Chriſtian, but no Methodiſt.

A cure for the cattle-diſtemper.
From Dr Nugent's letters.

WHenever a beaſt is obſerved to loath its food, and not eat as uſual, a ſtring, with a bunch of freſh-ſkinned onions tied to it, muſt be put round its neck. Theſe onions attract the venom out of the ſick animal, ſo that the very next day they look as if they had been parboiled. They muſt be daily replaced with freſh onions; and thoſe taken from the diſeaſed cattle ſhould be carefully put under ground, being certain death to any fowls that ſhould happen to meddle with them. After ſome days, the beaſt will void a great deal of ſlime from its mouth and noſtrils; and others have a violent looſeneſs: they likewiſe are generally taken with a ſtiffneſs and ſwelling in the legs: all which, however, by continuing the uſe of the onion-necklace, gradually abate, till the beaſt perfectly recovers. It would likewiſe be proper to hang bunches of onions up and down the cow-houſe.

A recipe for the ſtone and gravel.

TAke black berries before they are quite ripe, when red; pick them, and put them into a pot; tie them with a paper-cover very cloſe, and put them into a kettle of water, which is to be kept boiling till they are reduced to a pulp; then ſtrain them, and to a pint [Engliſh] of juice put a pound of powdered ſugar: boil it to a jelly, and put it up for uſe.

A gentleman, who for many years was afflicted with this terrible complaint, was perſuaded to take every night, going to bed, the quantity of a large nutmeg of this pleaſant medicine; the effect of which was, that the ſtone was broken in pieces, and voided in granules, ſome of them nearly of the ſize of pepper-corns, manifeſtly appearing to be portions of a much larger ſubſtance. The gentleman, though more than fourſcore, is now enabled to diſcharge theſe ſtony particles without much difficulty, and finds no other inconvenience than a frequent irritation to make water.

The pot in which the berries are put, is to ſtand on end, and no water to come near the berries; they are to be reduced by heat alone.

A

AMERICAN AFFAIRS. [xxxv. 526. 666.]

AN addreſs of the houſe of Repreſentatives of the Maſſachuſets-bay to the King, having been ſent to Lord Dartmouth by Dr Franklin, in order to be preſented to the King; in which addreſs the aſſembly pray for the removal of the Governor and Lieutenant-Governor of that province, his Majeſty was pleaſed to ſignify his pleaſure, that the ſaid addreſs ſhould be laid before him in his privy-council. Mr Mauduit being informed of this, preſented a petition to the Lords Committee of the privy council, praying, that he, on the behalf of the Governor and Lieutenant-Governor, might be heard by counſel, in relation to the addreſs, before their Lordſhips make any report of it: which was granted; and the following proceedings took place.

Council-chamber, Jan. 4. 1774, preſent, Lord Preſident, the Secretaries of ſtate, and many other Lords.

Dr Franklin and Mr Bollan.

Mr Mauduit and Mr Wedderburn.

Dr Franklin's letter, and the addreſs, Mr Pownal's letter, and Mr Mauduit's petition, were read.

Mr Wedderburn. The addreſs mentions certain papers: I would wiſh to be informed what are thoſe papers.

Dr Franklin. They are the letters of Mr Hutchinſon and Mr Oliver.

Court. Have you brought them?

Frank. No; but here are atteſted copies.

Court. Do you not mean to found a charge upon them? if you do, you muſt produce the letters.

Frank. Theſe copies are atteſted by ſeveral gentlemen at Boſton, and a notary-public.

Wedd. My Lords, we ſhall not take advantage of any imperfection in the proof. We admit that the letters are Mr Hutchinſon's and Mr Oliver's handwriting: reſerving to ourſelves the right of inquiring how they are obtained.

Frank. I did not expect that counſel would have been employed on this occaſion.

Court. Had you not notice ſent you of Mr Mauduit's having petitioned to be heard by counſel, on behalf of the Governor and Lieutenant-Governor?

Frank. I did receive ſuch notice; but I thought that this had been a matter of politics, and not of law; and have not brought any counſel.

Court. When a charge is brought, the parties have a right to be heard by counſel, or not, as they chuſe.

Mr Mauduit. My Lords, I am not a native of that country, as theſe gentlemen are. I well know Dr Franklin's great abilities, and wiſh to put the defence of my friends more upon a parity with the attack; he will not therefore wonder that I chuſe to appear before your Lordſhips with the aſſiſtance of counſel. My friends, in their letters to me, have deſired, (if any proceedings, as they ſay, ſhould be had upon this addreſs), that they may have a hearing in their own juſtification, that their innocence may be fully cleared, and their honour vindicated; and have made proviſion accordingly. I do not think myſelf at liberty therefore to give up the aſſiſtance of my counſel, in defending them againſt this unjuſt accuſation.

Court. Dr Franklin may have the aſſiſtance of counſel, or go on without it, as he ſhall chuſe.

Frank. I deſire to have counſel.

Court. What time ſhall you want?

Frank. Three weeks.

Ordered, That the further proceedings be on Saturday the 28th inſtant.

Council-chamber, Saturday, Jan. 28. 1774, preſent Lord Preſident and thirty-five Lords.

Counſel for the aſſembly of Maſſachuſets-bay were Mr Dunning and Mr John Lee. For the Governor and Lieutenant-Governor, Mr Wedderburn.

The following is part of the ſubſtance of Mr Wedderburn's ſpeech, which related to the obtaining and ſending away Mr Whately's letters.

"My Lords, If there be any thing held ſacred in the intercourſe of mankind, it is their private letters of friendſhip.—If there can be any ſuch private letters, thoſe which paſſed between the late Mr Whately and Mr Oliver are ſuch.—The friendſhip between the two families is of thirty years ſtanding:—during all that time there has been kept up an intercouſe of letters; firſt with Mr Whately, the father, and then with the late Mr Thomas Whately, the ſon.—In the courſe of this friendſhip, a variety of good offices have paſſed between the two families: one of theſe fell within the period of theſe letters.—Upon Mr Oliver's daughter's coming to England with her huſband upon buſineſs, they were received at Nonſuch by Mrs Whately and her

ſons, as the ſon and daughter of their old friend and correſpondent.—And accordingly your Lordſhips will find, that one part of theſe letters is to return thanks for the civilities ſhown to Mr and Mrs Spooner at Nonſuch.

Theſe are the letters which Dr Franklin treats as public letters, and has thought proper to ſecrete them for his own private purpoſe. How he got at them, or in whoſe hands they were at the time of Mr Whately's death, the Doctor has not yet thought proper to tell us. Till he do, he wittingly leaves the world at liberty to conjecture about them as they pleaſe, and to reaſon upon thoſe conjectures.—But let the letters have been lodged where they may, from the hour of Mr Thomas Whately's death, they became the property of his brother, and of the Whately family. Dr Franklin could not but know this, and that no one had a right to diſpoſe of them but they only.—Other receivers of goods diſhonourably come by, may plead as a pretence for keeping them, that they don't know who are the proprietors: in this caſe there was not the common excuſe of ignorance; the Doctor knew whoſe they were, and yet did not reſtore them to the right owner.—This property is as ſacred and as precious to gentlemen of integrity, as their family plate or jewels are. And no man who knows the Whatelys, will doubt, but that they would much ſooner have choſen that any perſon ſhould have taken their plate, and ſent it to Holland, for his avarice, than that he ſhould have ſecreted the letters of their friends, their brother's friend, and their father's friend, and ſent them away to Boſton to gratify an enemy's malice.

The reaſons aſſigned for this, are as extraordinary as the tranſaction itſelf is: They are public letters, to public perſons, on public affairs, and intended to produce public meaſures. This, my Lords, is the firſt; and the next reaſon aſſigned for publiſhing them is, becauſe the writers deſire that the contents of them ſhould be kept ſecret.

If theſe are public letters, I know not what can be reckoned private. If a letter whoſe firſt buſineſs is to return thanks to an old lady of ſeventy, for her civilities at Nonſuch, be not a private letter, it will be neceſſary that every man ſhould be particularly careful of his papers; for, after this, there never can be wanting a pretence for making them public.

"But," ſays the Doctor, "they were written by public officers."—Can then a man in a public ſtation have no private friends? and write no private letters? Will Dr Franklin avow the principle, that he has a right to make all private letters of your Lordſhips his own, and to apply them to ſuch uſes as will beſt anſwer the purpoſes of party-malevolence? Whatever may have been the confidence heretofore placed in him, ſuch a declaration will not ſurely contribute to increaſe it.

But they were written "to perſons in public ſtations." Juſt the contrary to this appears to have been the caſe. Dr Franklin is too well acquainted with our hiſtory, not to know, that Mr Whately, during both theſe years, and for two years before and after, was only a private member of parliament; and, as Mr Oliver juſtly obſerves in a letter of his, "They at Boſton could not be ſuppoſed to apply to him as having an intereſt with the miniſters, when they knew that he was all that time voting in oppoſition to them."

Does then the Doctor mean, that his being a member of parliament placed him in a public ſtation?—And will he then avow, that a gentleman's being in parliament is ground ſufficient for him to make his letters lawful plunder, and to ſend them to his enemies?

But "they were written on public affairs." A very grievous offence! But it is a crime, of which probably we all of us have been guilty, and ought not ſurely for that only to forfeit the common rights of humanity.

But "they were intended to procure public meaſures." And does not every man who writes in confidence to his friend upon political ſubjects, lament any thing which he thinks to be wrong, and wiſh to have it amended? And is this the crime of ſo heinous a nature as to put Mr Whately's friends out of the common protection? and to give to Dr Franklin a right to hang them up to party-rage, and to expoſe them, for what he knew, to the danger of having their houſes a ſecond time pulled down by popular fury?

But "the writers of them deſired ſecrecy." True, they did ſo. And what man is there, who, when he is writing in confidence, does not wiſh for the ſame thing? Does not every man ſay things to a friend which he would not chuſe to

have

have publiſhed to other people, and much leſs to his enemies? Would letters of friendſhip be letters of friendſhip if they contained nothing but ſuch indifferent things as might be ſaid to all the world?

If this is the caſe at all times with the confidential intercourſe of friends, in times of party-violence, there muſt be a thouſand things ſaid in letters, which, though innocent in themſelves, either by rival-malice or party-prejudice, may be turned to a very different conſtruction. Theſe letters themſelves have been diſtorted in this manner; and ſome expreſſions in them cannot poſſibly be underſtood, without knowing the correſpondent letters to which they refer. And when a factious party had got poſſeſſion of the town-meetings, and led the aſſembly into what reſolutions they pleaſed, and were watching for any pretence to abuſe and inſult their Governors, is it at all to be wondered, that they did not wiſh to have the contents of their letters told to their enemies?

When we read in theſe letters ſuch paſſages as theſe: "If there be no neceſſity for it, I think it would be beſt it ſhould not be known that this intelligence comes from me;" or this: "I have wrote with freedom, in confidence of my name's not being uſed on the occaſion. For though I have wrote nothing but what in my conſcience I think an American may, upon juſt principles, advance, and what a ſervant of the crown ought, upon all proper occaſions, to ſuggeſt; yet the many prejudices I have to combat with, may render it unfit it ſhould be made public:" or this of Mr Hutchinſon's: "I muſt beg the favour of you to keep ſecret every thing I write, until we are in a more ſettled ſtate; for the party here, either by their agent, or by ſome of their emiſſaries in London, have ſent them every report or rumour of the *contents* of letters wrote from hence. I hope we ſhall ſee better times both here and in England;" or this again of Mr Oliver's: "*I have wrote with freedom; I conſider I am writing to a friend; and that I am perfectly ſafe in opening myſelf to you:*" upon reading theſe paſſages, which are all there are of this kind, a man whoſe heart was caſt in the common mould of humanity, would have been apt to ſay, Theſe are letters irregularly obtained: the writers deſire that every thing they write ſhould be kept ſecret: they belong to Mr Whately, who never injured *me:* I will therefore return them to the right owner.—Dr Franklin's reaſoning is of a very different caſt. After having juſt before told us, Theſe are public letters, ſent to public perſons, deſigned for public purpoſes, and therefore I have a right to betray them; he now ſays, Theſe are letters which the writers deſire may be kept ſecret, and therefore I will ſend them to their enemies. Prepared on both ſides for his rival's overthrow, he makes that an argument for doing him hurt, which any other man would conſider as a principal aggravation of the injuſtice of it.

But if the deſiring ſecrecy be the proof, and the meaſure of guilt, what then are we to think of Dr Franklin's caſe? whoſe whole conduct in this affair has been ſecret and myſterious? and who, through the whole courſe of it, has diſcovered the utmoſt ſolicitude to keep it ſo? My Lords, my accounts ſay, that when theſe letters were ſent over to Boſton, ſo very deſirous was Dr Franklin of ſecrecy, that he did not chuſe to ſet his name to the letter which accompanied them. This anonymous letter expreſsly ordered, that it ſhould be ſhewn to none but to a junto of ſix perſons. If the Doctor chuſe it, I will name the ſix. The direction of every letter was erazed, and ſtrict orders were given that they ſhould be carefully returned again to London. The manner in which they were brought into the aſſembly, all ſhewed the moſt earneſt deſire of concealment. Under theſe myſterious circumſtances have the aſſembly paſſed their cenſures; and voted this addreſs to his Majeſty againſt Mr Hutchinſon and Mr Oliver, upon account of a parcel of letters directed to ſomebody, they know not whom; and ſent from ſomebody, they know not where. And Dr Franklin now appears before your Lordſhips, wrapt up in impenetrable ſecrecy, to ſupport a charge againſt his Majeſty's Governor and Lieutenant-Governor; and expects that your Lordſhips ſhould adviſe the puniſhing them, upon account of certain letters, which he *will* not produce, and which he *dares* not tell how he obtained.

But the Doctor ſays, "*he tranſmitted them to his conſtituents.*"

That Dr Franklin ſent theſe letters to ſuch perſons as he thought would in ſome way or other bring them into the aſſembly, may be true; and accordingly, after an alarm of ſome dreadful diſcovery, the letters were produced by one ſingle per-

fon, pretending to be under an injunction to obſerve the ſtricteſt ſecrecy, and to ſuffer no copies to be taken of them. — After allowing two or three days for Fame to amplify, and for Party-malice to exaggerate; and after having thereby raiſed a general prejudice againſt the Governor; at length another member tells the aſſembly, that he had received from an unknown hand a *copy* of the letters; and wiſhed to have that copy compared and authenticated with the originals. After this, when they had brought the council into their meaſures, they then found their powers enlarged; and that they were at liberty to ſhew them to any one, provided they did not ſuffer them to go out of their hands; and the King's Governor and Lieutenant-Governor were permitted to look upon them only in this opprobrious manner, in order to render the indignity ſo much the more offenſive.

This Dr Franklin may call tranſmitting the letters to his conſtituents; and upon thoſe who know nothing of the courſe of theſe proceedings, may eaſily impoſe the belief of it: but your Lordſhips will readily ſee, and every man who has been an agent very well knows, that this is not what is meant by tranſmitting to his conſtituents. My Lords, when an agent means to write to the aſſembly, he addreſſes his letter to the Speaker, to be communicated to the Houſe. And the Doctor knows, that there are many articles in the journals of this tenor: "A letter from Dr Franklin to the Speaker, was read."

But the courſe taken with theſe letters was juſt the reverſe of this. The letter which came with them was anonymous; though the hand was well known: too well perhaps known to the ſelected few, who only were to be allowed the ſight of it. — Since therefore the Doctor has told us, that he tranſmitted theſe letters to his conſtituents, we know now who they are. His conſtituents, by his own account, muſt be this particular junto: for to them, and them *only*, were the letters communicated. Dr Franklin did *not* communicate them, as their agent, to the aſſembly: for whatever may have been the whiſpers of this junto, the aſſembly, as an aſſembly, does not to this day know by whom the letters were ſent. And ſo little do theſe innocent well-meaning farmers, which compoſe the bulk of the aſſembly, know what they are about, that by the arts of theſe leaders they have been brought to vote an addreſs to his Majeſty to diſmiſs his Governor and Lieutenant-Governor, founded upon certain papers, which they have not named; ſent to them from ſomebody, they know not whom; and originally directed to ſomebody, they cannot tell where: for, my Lords, my accounts ſay, that it did not appear to the Houſe, that theſe letters had ever been in London.

A letter addreſſed to the Earl of Dartmouth.

My LORD,

THE report to be made upon the petition from the Houſe of Repreſentatives of the Maſſachuſets-bay, againſt their governors, will have ſo deciſive an influence on the people of that province, that I feel myſelf compelled to addreſs your Lordſhip on the ſubject.

A diſcovery is made, by letters under their own hands, that the Governor and Lieutenant-Governor had been ſecretly labouring to ſubvert the chartered rights of the colony, to ſubject the people to arbitrary government, and to ſubdue them by military force. It appeared, that, to accompliſh theſe ends, they had painted the proceedings of the people in the moſt falſe and odious colours; forging falſehoods where miſrepreſentation would not ſuffice.

All this was conducted under the cloak of ſecret and confidential correſpondence, that the miſchief might come upon them unforeſeen, the cauſes unknown, and the authors undiſcovered. The people were to be the victims of a ſecret information; — they were to be condemned without being heard, and puniſhed with the heavieſt of all calamities, the loſs of their rights and liberties, without being appriſed of the accuſation, or a poſſibility of defence.

The perſons who planned and executed this atrocious, and (for upon principle it cannot be deemed leſs) this treaſonable conſpiracy againſt the conſtitution, ſtipulated their expectations of reward.

It was natural that this diſcovery ſhould exaſperate the people to an extreme. They ſaw, in the perſons of thoſe who were thus planning their deſtruction, men bound to them by all the ties of fellow-citizens, and the obligations of gratitude; men who had been long cheriſhed, truſted, and honoured, among them, and who had always profeſſed the moſt zealous attachment, which

which virtue and gratitude could inſpire, to their rights and intereſts. This was more eſpecially the caſe of their chief Governor, who was, at that very time, practiſing every art to fix in the minds of the people an exalted opinion of his warmeſt affection for them, and of his unremitting endeavours to promote their beſt intereſts at the court of G. Britain. They ſaw, beſides, in the mode of this attempt againſt them, ſomething peculiarly malignant. The miniſtry were ſufficiently diſpoſed to adopt every ſeverity againſt them. Gov. Bernard and the commiſſioners were ſufficient to keep up their prejudices and paſſions. To poiſon the minds of thoſe in oppoſition, and by that means to deprive the people of every benefit, either from the efforts of that oppoſition, or from a change of adminiſtration, was the diabolical plan of Mr Hutchinſon and Mr Oliver.

Had the popular indignation been followed by the moſt immediate and tragical conſequences, no one could have been ſurpriſed. Happily, however, the very men whom the governors had aſperſed as the ſowers of ſedition, and promoters of outrage, prevailed upon them to truſt to his Majeſty's juſtice for redreſs. For this purpoſe, the houſe of Repreſentatives have, in humble petition, implored his Majeſty's intervention, to remove theſe men, becauſe they have loſt all truſt and confidence with the people. It is this prayer to which you are now to adviſe an anſwer.

It is well worth conſidering, my Lord, what will be the conſequence of an ungracious, irritating anſwer. For ſome years paſt the people of America, and thoſe of Boſton in particular, have been abuſed, miſrepreſented, and oppreſſed, beyond the example of the worſt of times. They have ſeen, for a ſeries of years, every repreſentation againſt them received, every application for them rejected. When the authors of the ſecret informations which tended to bring upon them the diſpleaſure of their ſovereign, the reſentment of parliament, and to ſubvert their liberties, were providentially diſcovered, and their repreſentations proved falſe and wicked; the conſequence has invariably been the encouragement and reward of thoſe ſo detected. The diſcovery of Gov. Bernard's falſe and malignant letters, with the frauds he committed in his office, ſerved only to make him a Baronet, with what is equivalent to an enormous penſion. Mr Oliver was charged, upon the oaths of ſeveral of his Majeſty's council, and by their unanimous reſolution, with a moſt dangerous breach of truſt, in having forged minutes of their board, and authenticated them on oath, for the purpoſe of juſtifying a maſſacre committed by a licentious ſoldiery, and to throw the blame of it upon the people. What was the conſequence? Not puniſhment, but promotion. The people ſaw, with aſtoniſhment and horror, this very man, thus ſtigmatized, immediately promoted to be their Lieutenant-Governor.

Theſe are facts, my Lord, of public notoriety; facts which, ſpeaking to ſtones, would make them capable of impreſſion. Rewards have followed crimes as conſtantly as light the ſun. Promotion and emolument in America, have been exactly proportioned to mens perfidy to the people, and their avowed enmity to their immediate country. No people can be ſo dull as not to feel theſe injuries;—no people can be ſo puſillanimous as not to reſent them. Reiterated oppreſſions, detections, complaints, and diſappointments, have worked up mens minds to the higheſt pitch of reſentment and deſpair. The meaſure is now full:—one drop more may make the waters of bitterneſs overflow, to the deſtruction of the moſt valuable commerce of this country, and the irreparable injury of the whole dominion.

The people of the Maſſachuſets-bay have aſked humbly, and waited patiently, for juſtice againſt Mr Hutchinſon and Mr Oliver. That the tax was artfully thrown in to irritate and incenſe them to violence, was not their fault; infamous, inimical, and odious, as the Governors have rendered themſelves, they have been ſuffered to ſleep in ſecurity. A confidence in his Majeſty's juſtice,—a hope that the eyes of his miniſters would be at length opened, have ſuſpended their reſentment. In my opinion, my Lord, this is the laſt effort of expectation and endurance.

I have not yet heard a denial or publication of the letters upon which their petition is founded; but it has been ſaid, that the letters cannot be admitted as evidence, unleſs the manner in which they were obtained be declared. This rule of evidence is of the firſt impreſſion, and as rational as it is new. We ought at leaſt to be told in what book of evidence it is

to

to be found; in what court, in what caſe it was ever urged or admitted. The North Britons have kindly undertaken to reprint and correct our books; perhaps it is to be found in ſome Scotch editions of our law books and reports. New-modelling our law has been long the favourite object of our *ſmiling* friends from that quarter.

Gov. Hutchinſon has acknowledged, in his anſwer to an addreſs from the council, that ſome of the letters bear his ſignature. They ſtand therefore as matter of record, the verity of which cannot be affected by the manner in which they were obtained: not that I have heard it even inſinuated by any reputable perſon that they were procured by any undue means. It ſeems, therefore, that the objection is not that they were unfairly obtained, but that idle, perhaps impertinent, curioſity is not gratified by knowing how they were procured.

When a Noble Lord, for ſo his patent obliges me to call him, produced the Eſſay on Woman in the Houſe of Peers, was any inquiry made into the manner of procuring it? On the contrary; though it was ſoon proved, that the mode of obtaining it was in violation of all honeſty and good faith, did not both houſes of parliament proceed to the ſevereſt cenſure, and the court of king's-bench to the heavieſt judgement, againſt the oſtenſible author, upon the evidence of that Eſſay ſo flagitiouſly obtained? And are we now to be told, that the maleſactions of Mr Hutchinſon and Mr Oliver ſhall eſcape puniſhment upon this pretence? [xxv. 629.].

I have dwelt too long upon an objection utterly contemptible, and which, but for the high and dangerous tendency of it, would not merit a moment's conſideration.

My Lord, the ſingle queſtion is, Whether men who have rendered themſelves univerſally obnoxious to the people, ſhall be continued in authority over them? To determine in the affirmative, is to ſet the ſentiments of the people at defiance. Is there any man ſo wicked as to wiſh, or ſo weak as to expect, that a government, conducted on ſuch principles, would be ſecure or laſting? The folly of government may be ſometimes forgiven, its injuſtice never: but when folly and injuſtice unite, it muſt be odious, weak, and contemptible. A little time, my Lord, will ſhew, that government, in the hands of obnoxious men, is too arbitrary, too inconſiſtent with the genius of the people, to be long endured. No reaſoning can reconcile them, no force can ſubdue them to it. It is juſtice only that can enſure ſubmiſſion: for as Judge Blackſtone obſerves, "It is found by experience, that whenever the unconſtitutional oppreſſions, even of the ſovereign power, advance with gigantic ſtrides, and threaten deſolation to a ſtate, mankind will not be reaſoned out of the feelings of humanity, nor will ſacrifice their liberty by a ſcrupulous adherence to thoſe political maxims which were originally eſtabliſhed to preſerve it."

My Lord, an attempt to eſtabliſh government in America by military force, muſt be ultimately fatal to this country. It will commence in folly and injuſtice, —it will end in diſtreſs and humiliation.

RALEIGH.

A Letter to Lord NORTH.

My LORD,

AS the arbiter of the affairs of theſe kingdoms I addreſs your Lordſhip, and cordially hope to engage the impartial attention of your underſtanding, while I lay before you truths too important to be neglected at this criſis, when the happineſs of a brave and loyal people, from wrong apprehenſions, is likely to be ſacrificed to miniſterial power.

The American-revenue act has long been matter of contention, and ſome of our moſt judicious members have adviſed the repeal, wiſely conſidering it as the only means to prevent, perhaps, the total defection of the colonies: but this advice, though ſo evidently calculated for the general good, has been diſregarded; the duty on tea continued, an article 'tis well known, the Americans refuſed to import; and lately the Eaſt-India company have been authoriſed to ſend over great quantities, conſigned to gentlemen who they thought proper to depute their agents; for it does not appear there was any order from the merchants; by which ſtratagem it was, doubtleſs, expected they would quietly have acknowledged the legality of the act. The event has proved the contrary: they are nobly unanimous in their determinations to refuſe it; and, in conſequence of this refuſal, the public prints aſſure us ſeveral ſhips are now fitting out for that ſtation with all poſſible expedition, probably to oblige them.

Senſible diſpaſſionate men, my Lord, will never be convinced by violence; and obſtinacy

obſtinacy is ſo certain an indication of weakneſs, that for your own honour it will be neceſſary to deliberate.

I have lived ſome years in America, have ſtudied the diſpoſition of the inhabitants, and am, though a native of England, ſincerely intereſted in their happineſs.

They are a polite, well-improved people, juſtly tenacious of their liberty, and thoroughly ſenſible of its value. From the cradle they are taught to boaſt their privilege, nor will they ever patiently endure the yoke of oppreſſion. They are oppreſſed, they are injured. Had they ever refuſed to grant his Majeſty ſuch ſupplies as were honourably requeſted, or in any other inſtance been defective in loyalty or obedience, there would be ſome excuſe for theſe proceedings: on the contrary, nothing can be alledged againſt them with juſtice, but that they *will not* ſurrender their birthright, and perſevere in their determinations to raiſe ſuch monies as the exigencies of the ſtate require, by ſuch methods as ſhall be leaſt injurious to the happineſs of individuals. Is it poſſible an Engliſh parliament, even if the members of which it is compoſed were wholly diſintereſted, ſhould know properly how to levy contributions on a country at ſo great a diſtance, and with which they are in general ſo little acquainted? Have not the Americans repreſentatives of their own? and do they ever paſs a law without the royal approbation? Why then will you not grant them the privilege which other ſubjects in the ſame predicament enjoy? the privilege of raiſing their money in a mode they moſt approve? Surely nothing can be more reaſonable.

Should your Lordſhip attempt to enforce, by military diſcipline, laws they do not acknowledge legal, the conſequence will, I fear, be fatal; for ſo determined are theſe generous people to preſerve inviolate their rights,—ſo juſtly are they animated by their apprehenſions of ſubjection,—that they would encounter patiently the moſt terrible difficulties rather than ſubmit: yes, they would

Dare the vaſt vollies of your thundering ore,
And dye the Atlantic's verge with noble gore,

ere they would ſuffer themſelves to be diſpoſſeſſed of the ineſtimable bleſſings they now enjoy, to purchaſe which their forefathers endured the greateſt diſtreſs, and lived content in unfrequented woods, diveſted of all the comforts and neceſſaries of life.

Conſidered morally, my Lord, 'tis a very ſerious matter to interrupt the peace of thouſands; and the man who can calmly agree to meaſures that are deſtructive to his fellow-creatures, muſt be a bad member of ſociety, and an open violator of the laws of Chriſtianity.

Your Lordſhip, I am told, makes particular profeſſion of faith in this divine doctrine; and I have heard your conſtant endeavours to avoid war attributed to very worthy motives. If this be true, my Lord, England has only to lament, that the abilities of your head do not keep pace with the virtues of your heart; and America may hope that your conduct at this juncture will not be ſuch as ſhall riſe up in judgement againſt you.

His Majeſty, from miſrepreſentation, may be inclined to think his ſubjects in the colonies obſtinate and rebellious. 'Tis difficult for a prince to know the truth. It is more difficult ſtill to conſider himſelf ſimply as a man, and to unite his own intereſt with that of his people: but whenever they are ſeparated, there is danger; and the more arbitrary the prince, the more miſerable the ſubject, and the leſs his attachment to his ſovereign.

The King has not in any of his dominions more affectionate or valuable *people* than the Americans: on every proper occaſion they have given undoubted proof of their loyalty, and were actually very valiant during the laſt war. As father of his country, and head of the legiſlative body, they honour him; but when he gives his royal aſſent to laws without due conſideration, they never fail to obſerve and lament it.

A thorough knowledge of the conſtitution of this country makes a part of their education; and as they are in general remarkably anxious for the public good, they never forget it. I ſincerely wiſh, my Lord, as much might be ſaid with truth of thoſe at home, who have the management of the moſt important concerns; but it will, I fear, ever be matter of lamentation, that *great men* are ſo totally debilitated by diſſipation, as to render *even* ſuch capacity as Heaven has beſtowed, uſeleſs. That your Lordſhip may never tremble at the tribunal of the Moſt High for the abuſe of yours, and that England and her colonies may never look back with *horror* to this period, is the unaffected hope of R.

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CHARACTER OF VOLTAIRE.

By WILLIAM JONES, Esq;

M. De VOLTAIRE seems to bear away the palm of history among the French: his style is lively and spirited, his descriptions animated and striking, his remarks always ingenious, often deep; and, if some trifling errors are discovered in his writings, we are willing to excuse them, when we reflect, that he is not only the best historian, but the finest poet also, and the greatest wit, of his nation. He appears to be unjustly charged with embellishing his pieces at the expence of truth, and with relating facts which he had not examined. This may, perhaps, be the case in one or two instances; but his life of Charles the Twelfth gains fresh credit every day, and his account of Peter the Great was extracted from the most authentic materials: it was, indeed, the necessary fate of any author who should write the lives and adventures of those two singular princes, to pass rather for the compiler of fables, than for the relater of real events, till time should confirm the truth of the actions recorded by him. It may be thought arrogant in a foreigner, to criticise so great a writer in the article of style and language; but it seems to me, that his periods are not sufficiently expanded: he describes a battle, and discourses on the fate of kingdoms, in the diction of an essay; and frequently huddles the most important remarks into the compass of a short sentence: so that the perpetual return of the full pause makes his language often dry, abrupt, and difficult to be read aloud without a fatiguing monotony. There are as many kinds of style, as there are different subjects: that of an essay should be light and elegant; of a letter, lively and familiar; of an oration, copious and elate; of a moral discourse, grave and solemn; but that of an history ought to be smooth, flowing, and natural, without any graces but perspecuity: yet most authors form a way of writing peculiar to their own taste and genius, which they use indifferently on all occasions; thus Voltaire is equally gay, equally polished, whether he writes upon history, criticism, or philosophy. His distinguishing excellence is wit; which, however, sometimes gets the better of his judgement. Wit is never displayed to advantage, but in its proper place: it has often a great effect in controversy; it may even be admitted into an essay; it is the charm of conversation, when it rises naturally from the subject, without seeming to be prepared: but it should be wholly banished from historical compositions and solemn speeches; since nothing can be more absurd, than to discuss the weighty points of legislation and politics in a string of conceits and allusions. It suited the Roman orator's purpose, in his defence of Muræna, to make the judges merry at the expence of the accuser, Cato, whose stoical principles he rallies with infinite humour; but we meet with no example of this kind in the Catilinarian or Philippick Orations, when nothing less was concerned, than the destiny of the whole empire. Thus in the relation of common occurrences, if they happen to be of a ludicrous nature, there cannot be too much brilliancy and liveliness; but humour should no more find its way into an historical piece, than into an heroic poem; and all our veneration for the genius of Milton will not make us excuse the impertinence of his jokes in his battle of the angels. I dwell the longer on the absurdity of ill-placed wit, because all the works of Voltaire are tinctured with it*; and he cannot give an abstract of the Newtonian philosophy, without interspersing it with strokes of humour. On the whole, however, Voltaire is one of the most agreeable writers in the world, and has brought his native language to the greatest elegance which it seems capable of receiving.

* His histories abound with such turns as these: *Tandis que les Moscovites se plaignaient à St Nicolas de leur défaite, Charles faisat rendre graces à Dieu, et se préparait à de nouvelles victoires.* His Elements of Philosophy are introduced with a number of humorous dissertations; the first of which begins with this sentence, *Platon rêvait beaucoup, et on n'a pas moins rêvé depuis, &c.* but Plato did not write upon *ideas* in a tripping style full of points and antitheses.

A Catalogue of NEW BOOKS; the *Prices*, and *Publiſhers Names*, annexed: With REMARKS and EXTRACTS.

[*We ſometimes ſhew from what works we take theſe* Remarks; *by annexing* M. *for* Monthly, *and* C. *for* Critical Review; G. *for* Gentleman's, *and* L. *for* London Magazine, *&c.*]

The apology of Theophilus Lindſey, M. A. on reſigning the vicarage of Catterick, Yorkſhire. 3*s.* Johnſon. 1774.

THE title of this performance cannot fail to excite the curioſity of the public. For a clergyman to reſign his living, except from a view to better preferment, or for ſome other purpoſes merely of a worldly nature, is indeed an uncommon phænomenon; and it is natural to inquire what are the cauſes of ſo extraordinary a conduct. In the caſe of Mr Lindſey, his only motive appears to have been a principle of integrity. He hath declined to officiate any longer as a miniſter of the church of England, becauſe he cannot conſcientiouſly uſe the forms of its worſhip. Every man of honour and virtue will feel the moral excellence of ſuch a behaviour.

But while juſtice is done to Mr Lindſey's uprightneſs, it may ſtill be matter of inquiry, how far the reaſons upon which he hath acted will ſtand the teſt of ſober examination. We mean his reaſons in point of intellectual wiſdom and judgement: for with regard to that higher ſpecies of wiſdom which has a reference to the approbation of the ſupreme being, and to a future ſtate, the man who, with a miſtaken conſcience, gives up his all to theſe great objects, is infinitely wiſer than the whole tribe of ſtateſmen, politicians, philoſophers, divines, and biſhops, who ſo readily ſacrifice their ſcruples to what they are pleaſed to call public utility; which ſame public utility is always found to have a remarkable and happy coincidence with their own private emolument. A perſon's motives may be right, while his opinions are wrong. It was proper, therefore, in Mr Lindſey, to lay his caſe before the world, that it may be ſeen how far he has truth, as well as integrity, on his ſide. M.

Mr Lindſey acknowledges himſelf to have been connected from the beginning with the petitioners to parliament for redreſs in matter of ſubſcription; but abſolves them of holding the ſame opinions with him, if there ſhould be any thing to blame in the freedom with which he now delivers his ſentiments on ſome favourite points.

The clergy-ſociety of the Feather's tavern, he ſays, was made up of men differing in opinion from each other in many reſpects, but united in this, that ſubſcription to human formularies of faith was an unjuſt impoſition upon the conſciences of men; and he expreſſes his entire ſatisfaction, that he did not quit his miniſtry in the church eſtabliſhed, till the moſt reaſonable attempts for a reformation were rejected, firſt in the Houſe of Commons, and next in the abrupt negative put by the governors of the church upon the application made to them, namely, "That, in their opinion, it was neither prudent nor ſafe to do any thing in the matter ſubmitted to their conſideration." G.

The Apology is divided into ſix chapters. The firſt contains ſome ſtrictures on the origin of the doctrine of the Trinity, and the oppoſition which it met with, to the time of the Reformation. In the ſecond, the ſtate of the Unitarian doctrine, in our own country more eſpecially, from the æra of the Reformation, is particularly conſidered. The deſign of the third chapter is to prove, that religious worſhip is to be offered to the One God, the Father only. The fourth recites the cauſes of the unhappy defection among Chriſtians from the ſimplicity of religious worſhip preſcribed in the ſcriptures of the New Teſtament. In the fifth, it is ſhewn how an union in God's worſhip may be attained; and the ſixth gives a deſcription of the writer's particular caſe and difficulties. —— The laſt we inſert, viz.

"As far as my memory goes back, I was impreſſed from my early youth with a love of truth and virtue, a fear of God, and a deſire to approve myſelf to him; which have never left me to this hour, though not always equally governed by them, nor improving ſo great a favour and bleſſing from God as I ought to have done.

After the uſual time ſpent at ſchool and in the univerſity, I entered into the miniſtry of the goſpel, out of a free and deliberate choice, with a full perſuaſion, that

that it was the beſt way in which I could ſerve God, and be uſeful to man, and with an earneſt deſire that I might promote theſe the great ends of it.

Some things in the thirty-nine articles of our church I always diſapproved. And I remember it ſtruck me at the time, as a ſtrange unneceſſary intanglement, to put young men upon declaring and ſubſcribing their approbation of ſuch a large heterogeneous maſs of poſitions and doctrines as are contained in the liturgy, articles, and homilies; eſpecially as I had obſerved, that none but thoſe called Methodiſts, who were then much ſpoken of, preached in conformity to them. But I was not under any ſcruples, or great uneaſineſs, on this account. I had hitherto no doubts; or rather, I had never much thought of, or examined into the doctrine of the Trinity: but ſuppoſed all was right there.

Some years after, many doubts concerning that doctrine, which had ſprung up in the mind at different times and from various cauſes, compelled me to a cloſer ſtudy of the ſcriptures with regard to it; for the ſtate of ſuſpenſe I was in was very uneaſy to me. The more I ſearched, the more I ſaw the little foundation there was for the doctrine commonly received, and interwoven with all the public devotions of the church; and could not but be diſturbed at a diſcovery ſo ill ſuiting my ſituation. For in the end I became fully perſuaded, to uſe St Paul's expreſs words, 1 Cor. viii. 6. that *there is but one God, the Father*, and he alone to be worſhipped. This appeared to be the uniform unvaried language and practice of the Bible throughout. And I found the ſentiments and practice of Chriſtians in the firſt and beſt ages correſponding with it. In a courſe of time afterwards, in the progreſs and reſult of this inquiry, my ſcruples wrought ſo far as to put me upon actually taking ſome previous ſteps, with a deſign to relieve myſelf by quitting my preferment in the church. What prevented this reſolution from taking place, and being completed, I go on to relate.

1. Deſtined early, and educated, for the miniſtry, and my heart engaged in the ſervice, when the moment of determination came, I felt a reluctance at calling myſelf out of my profeſſion and way of uſefulneſs, that quite diſcouraged me. This was probably heightened by my being alone at the time, having no intimate friend to conſult or converſe with; and my imagination might be ſhocked by the ſtrangeneſs and ſingularity of what I was going to do, ſuch ſubjects then, upwards of fifteen years ago, not having been ſo much canvaſſed or become ſo familiarized as they have been ſince. Theſe apprehenſions, I am convinced, had great ſway at the time, and not any worldly retroſpects or motives, by which I was never much influenced. And beſide, I had then a proſpect of not being left entirely deſtitute of ſupport, if I had gone out of the church.

But I did not enough reflect, that when unlawful compliances of any ſort are required, the firſt dictates of conſcience, which are generally the righteſt, are to be attended to; and that the plain road of duty and uprightneſs will always be found to lead to the trueſt good in the end, becauſe it is that which is chalked out by God himſelf.

2. Many worthy perſons, and ſome of my own acquaintance, whoſe opinions varied little from mine, could nevertheleſs ſatisfy themſelves ſo as to remain in the church, and officiate in it. Why then, it often occurred to me, and others did not ſpare to remonſtrate, why muſt I alone be ſo ſingularly nice and ſcrupulous, as not to comply with what wiſer and better men could accommodate themſelves to, but diſturb others, and diſtreſs myſelf, by enthuſiaſtic fancies, purely my own, bred in gloomy ſolitude, which by time, and the free communication and unfolding of them to others, might be diſperſed and removed, and give way to a more chearful and enlarged way of thinking? It was worth the while at leaſt to try ſuch a method, and not raſhly to take a ſtep of which I might long repent.

3. It was ſuggeſted, That I was not author or contriver of the things impoſed and complained of. All I did was miniſterial only, in ſubmiſſion to civil authority; which is, within certain limitations, the authority of God; and which had impoſed theſe things only for peace and public good: — That I ought not only to leave my benefice, but to go out of the world, if I expected a perfect ſtate of things, in which there was no flaw or hardſhip: — That if there was a general tendency in what was eſtabliſhed to ſerve the intereſts of virtue and true religion, I ought to reſt ſatisfied, and wait for a change in other incidental matters that were

were grievous to me, but not generally felt by others: — That in the mean time, I had it in my power to forward the deſired work, by preparing mens minds for it, whenever there ſhould be a diſpoſition in the ſtate to rectify what was amiſs. Therefore, if I could, in any way of interpretation, reconcile the preſcribed forms with the ſcripture in my own mind, and make myſelf eaſy, I was not only juſtified, but to be commended.

Theſe conſiderations all together, were of weight to divert me then from the thought of quitting my ſtation in the church, and brought me in time to remain tolerably quiet and eaſy in it. Not that I now juſtify myſelf therein. Yea, rather I condemn myſelf. But as I have humble hope of the divine forgiveneſs, let not men be too rigid in their cenſures: let thoſe only blame and condemn, who know what it is *to doubt*; to be in perplexity about things of the higheſt importance; to be in fear of cauſeleſsly abandoning a ſtation aſſigned by Providence, and being found idle and unprofitable, when the Great Maſter came to call for the account of the talent received.

The methods I took to ſatisfy my own mind were theſe. My great difficulty was the point of worſhip. In compariſon with this, ſubſcription to the articles, however momentous in itſelf, gave me then but little concern. For as the devotions of the church are framed in ſtrict agreement with the articles, and correſpond with them more eſpecially in what relates to religious worſhip, I looked upon my continuing to officiate in them as a conſtant virtual repetition of my ſubſcription, and therefore I needed not, nor did decline the actual repetition of it when occaſion ſerved; though I was not forward in ſeeking ſuch occaſions.

I brought myſelf to conſider the Trinitarian forms in the liturgy, and the invocations at the entrance of the litany, as a threefold repreſentation of the One God, the Father, governing all things by himſelf, and by his Son, and his Spirit; and as a threefold way of addreſſing him, as creator and original benevolent cauſe of all things, as redeemer of mankind by his Son, and their ſanctifier by his Holy Spirit.

I took all opportunities, and have done for many years, both in public, and in private, to bear my teſtimony to this great truth of holy ſcripture, That *there is but One God, the Father*, with great plainneſs, and without any reſerve; but I purpoſely refrained from the uſe of thoſe technical unſcriptural names, *Trinity*, *Perſon*, *Subſtance*, and the like, and every thing that bore the air of controverſy, in the pulpit.

Thus I went on in the diſcharge of my duty, till a few years ago, when from ſome providential awakenings, I ſecretly, but firmly, reſolved to ſeek an opportunity to relinquiſh a ſituation that was now become not very ſupportable to me.

I could not now ſatisfy myſelf with Dr Wallis's and the like ſoftenings and qualifications of the Trinitarian forms in the liturgy. I wondered how I had been able to bring myſelf to imagine, that I was worſhipping the Father in ſpirit and in truth, John iv. 23. 24. whilſt I was addreſſing two other perſons, *God the Son*, and *God the Holy Ghoſt*, and imploring favours ſeverally of them, in terms that implied their perſonality, and diſtinct agency, and deity, as much as that of the Father.

If invocations ſo particular, language ſo expreſs and perſonal, might be ſifted and explained away into prayer to one God only; I might by the like ſuppoſals and interpretation bring myſelf to deify and pray to the Virgin Mary, taking her, as the Papiſts do, to be now alive, and beatified in heaven, and maintain that I was ſtill only praying to the one God, who was thus invoked in his creature that was ſo nearly united to him.

It appeared to me a blameable duplicity, that whilſt I was praying to the one God the Father, the people that heard me were led, by the language I uſed, to addreſs themſelves to two other perſons, or diſtinct intelligent agents; for they would never ſubtilize ſo far, as to fancy the Son and Holy Spirit to be merely two modes, or reſpects, or relations of God to them.

As one great deſign of our Saviour's miſſion was, to promote the knowledge and worſhip of the Father, *the only true God*, as he himſelf tells us, John xvii. 3. I could not think it allowable or lawful for me, on any imagined proſpect of doing good, to be inſtrumental in carrying on a worſhip, which I believed directly contrary to the mind of Chriſt, and condemned by him.

If it be a rule in morals, *Quod dubitas, ne feceris;* it is ſtill more evident, that we are not to do any thing that *we know to be evil*, no, not to procure the *greateſt*

good, Rom. iii. 8. For God does not want my ſinful act. It would be impious to ſuppoſe, that he cannot carry on his government, and promote the felicity of his creatures, without it. And although in his providence he may bring good out of my evil, he will not let the doer of it go unpuniſhed. And if any thing be evil and odious in his ſight, prevarication and falſehood is ſuch; and moſt of all an habitual courſe thereof in the moſt ſolemn act a creature can be engaged in, the worſhip of him, the holy, all-ſeeing God.

It is related in the life of Abp Tillotſon, that his friend Mr Nelſon having conſulted him by letter from the Hague, in the year 1691, with regard to the practice of thoſe nonjurors, who frequented the churches, and yet profeſſed that they did not join in the prayers for their Majeſties: "As to the caſe you put," replied his Grace, "I wonder men ſhould be divided in opinion about it. I think it is plain, that no man can join in prayers, in which there is any petition which he is verily perſuaded is ſinful. *I cannot endure a trick any where, much leſs in religion.*"

The Archbiſhop may be held by ſome to be too ſevere a caſuiſt. But if it was his opinion, that a man who, after the Revolution, continued attached to the late King James, could not conſiſtently or honeſtly frequent a communion of Chriſtians where their Majeſties King William and Queen Mary were prayed for: what would he have replied, thought I often with myſelf, in the caſe of one, who was not barely preſent, but was the mouth of the congregation in offering up prayers to God, which were believed to be derogatory and injurious to his peerleſs majeſty and incommunicable perfections, and, in the mind of the officer, a falſe and unworthy repreſentation of him to others? This ſeemed *a trick in religion*, which the honeſt mind of that prelate would have ſtill *leſs endured*.

From the firſt that I engaged with the aſſociated clergy for procuring the removal of ſubſcription to formularies of faith and doctrine drawn up by fallible men, I foreſaw, that if no relief was obtained, nor any proſpect opened of a reformation of the liturgy with regard to the great object of worſhip, or of a diſpoſition to indulge a latitude to private perſons to make diſcretionary alterations in it for themſelves, by the expreſs rule of holy ſcripture; it would certainly terminate as to myſelf in a reſignation of my office in the church: and I thought this would be a fitting ſeaſon for putting it in execution.

Moſt true it is indeed, and I have found it by large experience, that the goſpel-light of the knowledge of the one true God, and the worſhip to be paid to him only, through the one Mediator Jeſus Chriſt, has long been ſpreading *its beautiful ray* through the Britiſh nations; ſo that many of all ranks begin to ſee with concern the ſtriking oppoſition betwixt our public forms of worſhip and thoſe laid down in the word of God; and a reformed liturgy in this reſpect, whoſe conformity to holy ſcripture could not but inſtantly approve itſelf to them, would be gladly received and admitted with a very general conſent. But it has appeared in the oppoſition made to the petitioning clergy from the preſs, that not only t*oſe from whom it might be expected, but ſome that were before eſteemed of a more liberal caſt, have ſhewn a diſpoſition very contrary to the making or admitting of any reformation in our unſcriptural forms of worſhip. And declarations of the like import are ſaid to have fallen from their ſuperiors in a ſtill higher place.

In this ſtate of things, therefore, I had no choice left, but either to change the public ſervice of the church, and make it ſuch as I could conſcientiouſly officiate in, or quietly to retire.

I could not reconcile myſelf to the former, becauſe I looked upon the declaration of conformity and ſubſcription to be ſuch ſolemn ties, that I could not be eaſy under ſo great a violation of them.

Upon the moſt calm and ſerious deliberation, therefore, and weighing of every circumſtance, I am obliged to give up my benefice, whatever I ſuffer by it, unleſs I would loſe all inward peace and hope of God's favour and acceptance in the end. Somewhat of a tendency to an iſſue of this ſort, my friends may have occaſionally obſerved, or recollect, to have been dropt in converſation, or by letter: but I refrained from naming it directly, and thought it became me to be ſilent till the time approached, as my reaſons were not another's, nor my conduct a rule for theirs; nor did I know, or believe, that any one had ſuch cogent motives to leave his ſtation or miniſtrations in the church as I had.

The example of an excellent perſon, now

now living at Wolverhampton, Dr Robertſon [xxx. 84.], has been a ſecret reproach to me ever ſince I heard of it. For I thought, and perhaps juſtly, that he might not have all thoſe reaſons of diſlike to our eſtabliſhed forms of worſhip that I had; and though myſelf not without unknown ſtraits and difficulties to ſtruggle with, and *not alone* involved in them, yet have I not *all* thoſe diſſuaſives and diſcouragements that he paints forth in his affecting letter to the Biſhop of Ferns [xxix. 648.], ſubjoined to his inſtructive and learned work, and which I ſhall take leave to inſert as an ornament and ſuitable concluſion of my ſubject and book.

——" In debating this matter with myſelf," (ſays that worthy man), " beſides the arguments directly to the purpoſe, ſeveral ſtrong collateral conſiderations came in upon the poſitive ſide of the queſtion. The ſtraitneſs of my circumſtances preſſed me cloſe; a numerous family, quite unprovided for, pleaded with the moſt pathetic and moving eloquence; and the infirmities and wants of age, now coming faſt upon me, were urged feelingly. But one ſingle conſideration prevailed over all theſe: —*That the creator and governor of the univerſe, whom it is my firſt duty to worſhip and adore, being the God of truth, it muſt be diſagreeable to him, to profeſs, ſubſcribe, or declare, in any matter relating to his worſhip and ſervice, what is not believed ſtrictly and ſimply to be true.*"

[*There were lately* [xxx. 644.] *ſimilar reſignations in Scotland.*]

LONDON.

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Remarks on the opinions of ſome of the moſt celebrated writers on crown-law, reſpecting the due diſtinction between manſlaughter and murder; being an attempt to ſhew, that the plea of ſudden anger cannot remove the imputation and guilt of murder, when a mortal wound is wilfully given with a weapon; that the indulgence allowed by the courts to voluntary manſlaughter in rencounters, and in ſudden affrays and duels, is indiſcriminate, and without foundation in law; and that impunity in ſuch caſes of voluntary manſlaughter, is one of the principal cauſes of the continuance and preſent increaſe of the baſe and diſgraceful practice of duelling. By Granville Sharp. 1s. 6d. *White.*

An account of the proceedings at the India houſe, with reſpect to the regulations propoſed to be made by-laws by a committee of proprietors, elected by ballot for that purpoſe, and agreed to by a general court; particularly thoſe relative to the ſhipping of the company, by which they would have ſaved above 100,000l. per ann. that were afterwards very irregularly rejected. Impartially ſtated by one of the committee. 1s. *Payne.*

A ſhort inquiry into the nature of the titles conferred at Portſmouth, by his Majeſty, in Auguſt 1773 Shewing the origin and ancient privileges of Knights-Banneret. 6d. *Almon.* —— We have here a variety of precedents reſpecting the creation of Knights-Banneret; from all which it appears, that previous to the late naval review at Portſmouth, this order of knighthood was never conferred, but in time of war, in the field of battle. C.

Minutes of the proceedings before the Lords committees for privileges, on the ſeveral claims to the title of Viſcount Valentia, &c. folio. 6s *Robinſon.*

Conſiderations on the impoſition of four and half per cent. collected on Grenada, and the ſouthern Charibbee iſlands, by virtue of his Majeſty's letters-patent, under pretence of the prerogative-royal, without grant of parliament. 2s. *Almon.* —— A duty of four and a half per cent. being impoſed on all dead commodities, the produce of Grenada, by letters-patent dated June 20. 1764; and theſe letters juſtifying the impoſition of this tax, by the precedent of Barbadoes, &c. where the like tax was paid; the author of this pamphlet alledges, that no ſuch duty is paid at Tortola, Anegada, Jamaica, Providence, nor at any of the Bahama Iſlands; moreover that it is not payable in *any* iſland, but by virtue of an act of the repreſentatives of the people, paſſed for good and valuable conſiderations. — As to Barbadoes, it is related, that excepting 10,000 acres granted by Lord Carliſle, the firſt proprietor, who obtained the iſland from James I. it was peopled by emigrants from England, during the confuſions occaſioned by the civil wars; who

who ſettled on the vacant land, and cultivated plantations, without any titles or grants, either from the proprietor or the crown. Upon the reſtoration of regal government, theſe ſettlers applied to the King for protection againſt the claims of the Carliſle family, making an offer of paying the tax now in queſtion, for the confirmation of their titles; which was accepted, and a compenſation made to the then proprietor. But a proviſo of exception was made as to the 10,000 acres before mentioned, which do not pay the impoſition to the preſent hour — Having thus invalidated the pleas in the letters-patent, which impoſe a like tax, by royal prerogative, on the iſland of Grenada, the author recites the conteſts that have ariſen on refuſals to ſubmit to it, and makes ſome pertinent and ſpirited remarks on the proceedings of the courts of law, both on the iſland and at home, in order to keep the deciſion of the queſtion out of the hands of a jury. But for theſe we muſt refer to the pamphlet; where the writer ſays, that "ſince the cauſe of ſhip-money no point of equal conſequence has been brought before any Britiſh court of judicature; nor will the liberties of Britain be much leſs affected by the determination." M. [xxvii. 117.]

Conſiderations on certain political tranſactions of the province of South Carolina. 1s 6d. *Cadell.* —— The purport of this pamphlet is to prove, that the conduct of the Commons houſe of South Carolina, in aſſuming to themſelves the right of diſpoſing of the public money of the province, without the concurrence of the other two branches of the legiſlature, is repugnant to the conſtitutional principles of the Britiſh colonies; and that his Majeſty's inſtructions to the Governor of the province on this ſubject, ought to be conſidered in no other light than as a legal act of ſovereignty, intended merely to recal the Commons houſe in Carolina to an obſervance of the conſtitutional principles of their government, from which they had departed. The tranſaction which is the ſubject of theſe Conſiderations, is an order paſſed in the Commons houſe in South Carolina, in December 1769, for granting the ſum of 1500 l. Sterling to the ſociety of the Bill of Rights, at the London-Tavern in London [xxxii. 102]. The author endeavours to expoſe the abſurdity of this tranſaction with a degree of pleaſantry, and diſcovers through the whole pamphlet a cool and rational ſpirit of argument. C.

Natural Hiſtory, Medicine, Mathematics, &c.

A complete body of planting and gardening. By the Rev. William Hanbury, A. M. rector of Church-Langton in Leiceſterſhire. 2 vols folio. 4 l. 4s. *Dilly.* —— Divided into ſix books. 1. After an introduction to botany, according to the Linnæan ſyſtem, the firſt book treats of the culture of foreſt-trees, under the ſubdiviſions of deciduous, aquatic, and evergreen. 2. Principles for deſign in gardening, for the management of the ſeminary and nurſery, and for grafting, budding, layering, &c. culture of hardy, deciduous, foreign trees and ſhrubs, proper for the wilderneſs, hardy evergreen trees and ſhrubs, and climbers. 3. Treats of perennial flowers, under the ſubdiviſions of prize-flowers, and hardy flowers in general. 4. Of annuals and biennials in general; the green-houſe, and green-houſe plants, ſtove, and ſtove-plants. 5. Of the kitchen-garden in general, the doctrine of hot beds, &c. with the management of low ſorts of fruit. 6. The culture and management of orchards, fruit-trees, and fruit. — Every perſon who has heard of Mr Hanbury's extraordinary plantations at Church-Langton, and of his cloſe cultivation of them ever ſince the year 1753, will conclude, that the extenſive experience of near twenty years, built too on the experience of former writers, muſt be very ſufficient to recommend a ſyſtem of planting and gardening from this gentleman's pen. The poſſeſſion of knowledge, however, and an happy talent of communicating knowledge, are qualifications ſeldom united in the ſame perſon; nor is it altogether eaſy to determine from which of them, ſeparately, a reader would chuſe to accept, with preference, a treatiſe upon any ſubject. From the one we may receive even little information with much ſatisfaction; while any improvement extracted from the other, is obtained with labour, and perhaps too even with diſguſt. M.

Eſſays concerning iron and ſteel: The firſt containing obſervations on American ſand-iron; the ſecond, obſervations, founded on experiments, on common iron-ore, with the method of reducing it firſt into pig or ſow metal, and then into bar iron; on the ſort of iron proper to be converted into good ſteel, and the method of refining that bar-ſteel by fuſion, ſo as to render it fit for the more curious purpoſes. With an account of Mr Reaumur's method of ſoftening caſt-iron; and an appendix, diſcovering a more perfect method of charring pit-coal, ſo as to render it a proper ſucedaneum for charred wood-coal. By Henry Horne. 2 s. 6d. ſewed. *Cadell.*

The vegetable ſyſtem. By Dr Hill. Royal folio. vol. 23. 1 l. 11 s. 6 d. *Printed for the author.*

A diſcourſe on the different kinds of air, delivered at the anniverſary meeting of the royal ſociety, Nov. 30. 1773. By Sir John Pringle, Bt, Preſident. 1s. 6d. *Davies.*

A mirror for inoculators; or, An eſſay; ſhewing, by way of introduction, how li-

able

able mankind in general are to deception. Which is afterwards more particularly applied to the caſe of inoculation; and the practice proved to be contrary to nature, reaſon, and ſcripture; to the liturgy of the church; and even to that prayer taught us by our Lord and Saviour Jeſus Chriſt. By a friend to religion, as by law eſtabliſhed. 6d. *Crowder.*

A treatiſe on the principal diſeaſes of the eye. By William Rowley, ſurgeon. 3 s. ſewed. *Newberry.*

The nautical almanack and aſtronomical ephemeris. For the year 1775. Publiſhed by order of uhe commiſſioners of longitude. 3 s. 6 d. *Nourſe.* —— Contains only the uſual tables, with their explication. M.

Fine Arts and Belles Lettres.

The practical builder; or, Workman's general aſſiſtant. Shewing the moſt approved and eaſy methods of drawing and working the whole or ſeparate parts of any building &c. &c. By William Pain, architect and joiner. 12 s. *Taylor.* —— This work, from the apparent accuracy of the directions, muſt be of great uſe to builders. C.

The carpenter's treaſure: a collection of deſigns for temples, with their plans, gates, doors, rails, and bridges, in the Gothic taſte, with the centres at large for ſtriking Gothic curves and mouldings, and ſome ſpecimens of rails in the Chineſe taſte: forming a complete ſyſtem for rural decorations. Neatly engraved on ſixteen plates from the original drawings of N. Wallis, Architect. 2 s. 6 d. *Taylor.*

The new pocket-dictionary of the French and Engliſh languages. Containing all words of general uſe, and authoriſed by the beſt writers. By Thomas Nugent, L L. D. The ſecond edition, greatly improved. 3 s. 6 d. *Dilly.*

The hiſtory of French literature, from the earlieſt times to the preſent. With a repreſentation of the progreſs of arts in that monarchy. By Meſſ. de la Baſtide Senior and d'Uſſieux. French. 12mo. 2 vols. *Paris.* —— The authors of this hiſtory appear to be men of taſte, judgement, and learning. M.

Entertainment, &c.

Fatal affection; or, The hiſtory of Henry and Caroline. 2 vols. 6 s. *Noble.* —— Caroline appears in an amiable light; Henry is a very contemptible and cenſurable character; the other perſonages are but indifferently drawn. C.

La Belle Philoſophe; or, The fair philoſopher. 2 vols. 5 s. ſewed. *Lowndes.* —— Cannot be ranked among the drowſy productions of a ſimilar kind; for the attention is kept ſufficiently awake. The cataſtrophe is confeſſedly in imitation of Clariſſa. C.

The Faſhionable Daughter: being a narrative of true and recent facts: by an impartial hand. 2 s 6 d. *Domville* and *Knox.* —— Can be intereſting to thoſe only who are acquainted with the characters and facts; and ſeems to be better calculated for the meridian of Edinburgh than for that of London. C.

The journey to London; or, The hiſtory of the Selby family. 2 vols. 6 s. *Noble.* —— All, Selby himſelf excepted, of the race of the Wrongheads; and, by their ignorance of the world, of the town at leaſt, thrown into ruinous ſituations. C.

Miſcellaneous.

Letters by ſeveral eminent perſons deceaſed. Including the correſpondence of John Hughes, Eſq; (author of the Siege of Damaſcus), and ſeveral of his friends, publiſhed from the originals; with notes explanatory and hiſtorical. 3 vols. Edit. 2 9 s. ſewed. *Johnſon.* —— The firſt edition of theſe letters was publiſhed in 1772: the ſecond is enlarged with many articles. C.

Plays and Poetry.

The ſchool for wives, a comedy; as it is performed at Drury-Lane theatre. 1 s. 6 d. *Becket.* —— This entertaining comedy, which partakes both of the ſentimental and farcial kind, is an original production, though bearing the title of a play of Moliere. The principal ſcope of it is, to repreſent the powerful influence which the mild and prudent behaviour of a wife exerts in reforming a profligate huſband. C.

A new dramatic entertainment, called, *A Chriſtmas tale.* In five parts. As it is performed in Drury-Lane theatre. Embelliſhed with an etching by Mr Loutherbourg. 1 s. 6 d *Becket.* —— Monſters, muſic, ſcenery, all together, have combined to furniſh out a very agreeable upper-gallery exhibition. M. [xxxv. 653.]

Henry II.; or, The fall of Roſamond: A tragedy; as it is performed at Covent-Garden theatre. Written by Thomas Hull. 1 s. 6 d. *Bell.* —— In this tragedy the characters in general are conſiſtently maintained; the diction, though plain, is not deſtitute of proper elevation; and the ſentiments are chiefly ſuch as recommend the practice of virtue. C.

Airs and choruſſes in the entertainment of the Sylphs or Harlequin's gambols, as performed at Covent-Garden theatre. The muſic entirely new, compoſed by Mr Fiſher. 6 d. *Becket* — Contains an agreeable modulation and variety of ſound. C.

The Jevenaliad. A ſatire. 2 s. *Bell.* —— The appearance of a good intention is the greateſt merit we can diſcover in this ſatire. C.

ODE

ODE to MELANCHOLY.

HAil, tenant of the moſs-grown cell!
Inſpirer of the penſive ſoul!
Who lov'ſt in midnight-gloom to dwell,
Where winding ſtreamlets ever roll:
To thee I raiſe the votive lay,
While thus I own thy powerful ſway.

Here thou haſt fix'd thy ſolemn ſeat,
Remote from ſtrife and anxious care;
Where theſe two foaming riv'lets meet,
Whoſe fall impetuous wounds the ear;
Whoſe banks, with various ſhrubs array'd,
From heat afford a cooling ſhade.

Around the rocks irreg'lar ſtand,
With ſhaggy fronts, immenſely ſteep,
Cut out by Nature's ſkilful hand,
Whoſe fretted ſtones inceſſant weep:
Where ſits enthron'd, in awful ſtate,
The form of Grandeur and of Fate.

Beneath thy mild and magic power,
Wrapt in a ſtate of chequer'd gloom,
Pale Cynthia rules the ſilent hour,
And twinkling ſtars their fires reſume;
While wearied Nature ſeems to die,
Involv'd in dim obſcurity.

Now, 'neath yon yew-tree's dreary ſhade,
(As Fame reports) wan ghoſts are ſeen,
Where heave the manſions of the dead,
Or fairies revel on the green,
Till, at the earlieſt dawn of day,
The ſportive elves are call'd away.

Yet ſtill, bleſs'd maid! thy footſteps pleaſe;
Whether thou tread'ſt the mountain's brow,
Or where the ivy-claſped trees
Diſperſe a ſolemn gloom below;
If in thy walks fair Peace be found,
With blooming wreaths of glory crown'd.

With thee, in ſome ſequeſter'd cell,
Where Nature's nobleſt works appear,
At diſtance from the world I'd dwell,
The ſhepherd's woodland ſong to hear,
As all alone he tends his flock,
Beneath yon rugged, hoary rock.

Well pleas'd, I'd paſs the ſummer's day,
Enjoy the calm, the ſilent hour;
Well pleas'd, with ſweet Content to ſtay,
And feel the cares of *Life* no more;
On Fancy's airy pinions trace
The beauties of Creation's face.

From *Pleaſure*'s charms, that tempt the eye,
And turn the lab'ring feet aſtray;
From vain allurements let me fly,
And learn to tread the graſs-grown way,
That leads to tranſports ever new,
Where Wiſdom's glories riſe to view.

Then will I bleſs th'eventful day,
That e'er I left the buſy ſcene,
Where glozing ſmiles of Vice betray,
And Guilt inſures eternal pain:
Then will I bleſs the happy hour,
That e'er I ſought this moſs-bin'd bow'r.

Glaſgow. W. PEEBLES.

ODE for the NEW YEAR 1774.

By William Whitehead, Eſq; Poet-Laureat.

"PASS but a few ſhort fleeting years,"
Imperial Xerxes ſigh'd, and ſaid,
Whilſt his fond eyes, ſuffus'd with tears,
His numerous hoſts ſurvey'd;
"Paſs but a few ſhort fleeting years,
And all that pomp which now appears
A glorious, living ſcene,
Shall breathe its laſt; ſhall fall, ſhall die,
And low in earth yon myriads lie,
As they had never been!"

True, Tyrant; wherefore then does Pride
And vain Ambition urge thy mind,
To ſpread thy needleſs conqueſts wide
And deſolate mankind?
Say, why do millions bleed at thy command?
If life, alas, is ſhort, why ſhake the haſty ſand?

Not ſo do Britain's kings behold
Their floating bulwarks of the main
Their undulating ſails unfold,
And gather all the wind's aerial reign.
Myriads they ſee, prepar'd to brave
The loudeſt ſtorm, the wildeſt wave,
To hurl juſt thunders on inſulting foes;
To guard, and not invade, the world's repoſe.
Myriads they ſee, their country's dear delight,
Their country's dear defence, and glory in the fight!

Nor do they idly drop a tear
On fac'd Nature's future bier;
For not the grave can damp Britannia's fires;
Tho' chang'd the men, the worth is ſtill the ſame;
The ſons will emulate the ſires,
And the ſons ſons will catch the glorious flame!

On AIR, in imitation of the Earl of Rocheſter's *verſes on* Nothing, *and of Mr* Pope's *verſes on* Silence.

THou wert, ere Time brought with it fickly Care,
Before all nature — thou wert ſure ſome where,
For all the world grew from a breath of air.

From thee is ſprung whatever here we find,
External riches — riches of the mind;
For wits and beauties (boaſted ſuch) are wind.

The great man's pomp, with all his ſhow and glare,
The lover's vows, and the fine lady's pray'r,
Are nothing elſe than emptineſs and air.

The courtier's promiſe, or his Lordſhip's ſmile,
Is quite an airy nothing-meaning ſtyle,
That, as we graſp at, flies away the while.

Our Nobles heads are much in debt to thee,
This was—it is—and till time ceaſe ſhall be,
As if Fate ſaid—It is my great decree.

The philoſophic ſage, when crown'd with years,
Owns, his paſt labour (owns with many tears)
Juſt like an empty bubble—diſappears.

What lawyers plead, what judges do decree,
How much wou'd men be, air, oblig'd to thee,
Cou'dſt thou but clear it from diſhoneſty.

The parſon's preaching, and his form of pray'r,
Are nothing elſe (all practice does declare)
Than juſt a gentle breeze of pleaſing air.

Our modern poets, fraught with thee, 'tis ſaid,
Compoſe dull verſes to be dully read,
And work, poor devils! for their daily bread.

The rich and poor are full alike of air;
Be paper ere ſo fine, or print ſo fair,
The great man's verſe has not the ſmaller ſhare.

Our merchants traffic, our ſtock jobbers ſchemes,
Our ladies virtues, and our poets themes,
Are naught but idle phantaſies and dreams.

The wit's *bon mots*, the coxcomb's vanity,
The ſpleen of cynics—ſtudents pedantry,
Muſt all at laſt take refuge, air, in thee.

From thee beaſts, fiſhes, birds, ſucceſſive were;
The breath that made them, ſent them Lord knows where,
And man's frail life is but a breath of air.

EPITAPHE ſur le Roi de PRUSSE.

[*Aſcribed to Voltaire.*]

CE mortel profana tous les talens divers;
Il charma les humaines qui furent ſes victimes;
Barbare en action, et philoſophe en vers,
Il chanta les vertus, et commit tous les crimes.
Haï du Dieu de l'amour, cher au Dieu de combats,
Il baigna dans le ſang l'Europe et ſa patrie;
Cent mille hommes par lui reçûrent le trepas,
Et pas un n'en reçut la vie.

EPITAPH on the King of PRUSSIA.

HE every human talent miſemploy'd,
And men at once delighted and deſtroy'd;
Savage in action, but a ſage in rhyme;
Each virtue ſung, and practis'd every crime:
The ſcorn of Venus, but of Mars the pride;
'He fill'd his country and the world with ſtrife:
'Thouſands for him in honour's bed have dy'd;
'But from his own not one e'er ſprung to life.'

Edin. Mag.

An extempore exclamation on the proſpect of Winter.

O May our follies, like the fading trees,
Be ſtript of every leaf by autumn's wind;
May ev'ry branch of vice embrace the breeze,
And nothing leave but virtue's fruit behind.

Then, when old age, life's winter, ſhall appear,
In conſcious hope, all future ills we'll brave;
With fortitude our diſſolution bear,
And ſink forgotten in the ſilent grave.

An Inventory of Dr SWIFT's Goods, upon lending his houſe to the Biſhop of M.

[*Not printed in his works.*]

AN oaken broken elbow-chair;
A caudle-cup without an ear;
A batter'd ſhatter'd aſh bedſtead;
A box of deal without a lid;
A pair of tongs, but out of joint;
A poor old poker without point;
A pot that's crack'd acroſs, around
With an old knotted garter bound;
An iron lock without a key;
A wig with hanging quite grown grey;
A pair of bellows without pipe;
A curtain worn to half a ſtripe;
A diſh, which might good meat have held once;
An Ovid, and an old concordance;
A bottle-bottom, wooden platter,
(One for meal, and one for water).
There is, beſides, a copper ſkillet,
Which runs as faſt out as you fill it;
A candleſtick, a pan, and ſave-all.
And thus his houſehold goods you have all.
Theſe to his Lordſhip, as a friend,
Till he has built, I'd recommend;
They'd ſerve his Lordſhip for a ſhift:
Why not, as well as Dr Swift?

The ROSE: A ſmile.

A Pretty nymph brought me a roſe,
The other morn before I roſe;
I ſmell'd the bloſſom, view'd the maid,
And to myſelf I thought, or ſaid,
"How ſweet, how freſh, how gay this flow'r!
"And yet 'twill ſcarcely live an hour:
"Its leaves will fade, and ſtink, and rot,
"And be, like abſent friends, forgot:
"Juſt ſo the bluſhes on each cheek
"Of that fair nymph, ſo modeſt, meek,
"That with the flow'r they may compare,
"Will flit away, as 'twere in air;
"And ſoon or thortly ſhe may be
"Decrepid or diſeas'd like me;
"And all the wear of threeſcore years
"Show where the colour now appears.
"Roſes fade, and roſes bloom;
"One dies away, while others come:
"Woman ſuch changes undergoes:
"Her certain emblem is the roſe."

The ROSE: An Idylion.

SAid Ino, 'I prefer the roſe
'To ev'ry vernal flower that blows:
"For when the ſmiling ſeaſons fly,
"And winds and rain deform the ſky,
"And roſes loſe their vivid bloom,
"Their leaves retain a ſweet perfume.
"Emblem of virtue! virtue ſtays
"When beauty's tranſient hue decays:
"Nor age, nor Fortune's frown's efface,
"Or injure her inherent grace."
"True," anſwer'd Daphnis: "But obſerve,
"Unleſs ſome careful hand preſerve
"The leaves, before their tints decay,
"They fall neglected: blown away
"By wint'ry winds and beating rains,
"No veſtige of perfume remains.
"Some kindly hand muſt interpoſe;
"For ſure the wint'ry tempeſt blows,
"And weak and delicate the roſe." R.

Edin. Mag.

HISTORICAL AFFAIRS.

TURKY.

In our laſt [xxxv. 657.] we gave an account of the Ruſſians repaſſing the Danube, in order to make a ſecond attempt upon Siliſtria. At firſt their operations were attended with ſucceſs, large bodies of Turks were defeated, the city of Baſarzick taken, and a great deal of booty made. But affairs have now changed. The Turks in their turn have been ſucceſsful, and once more the Ruſſians have been obliged to repaſs the Danube. The accounts follow.

"*Peterburg, Dec.* 13. I acquainted you in a former letter, that Lt-Gen. d'Ungern was going to make an attempt upon Varna, in hopes that the Turks, intimidated perhaps by their defeat at Caraſſou, would not ſtand their ground, but abandon the place. However, Gen. d'Ungern finding, on the contrary, that the fortreſs was full of troops, who were determined to defend it, he deſiſted from his intended enterpriſe, and turned upon the ſea-coaſts to Balgia, Magnagalia, and other places; all which he deſtroyed, and pillaged the magazines he found in them. He afterwards joined Prince Dolgorucki at Caraſſou and Baſarzick, and their deſign is to drive the Grand Vizir from Chiumla. Gen. Count de Soltikow has likewiſe gained ſeveral advantages over the Turks on the other ſide of the Danube."

"*Vienna, Dec.* 23. A courier has juſt arrived here from the grand army of the Ruſſians, with advices, that a large body under Gen. Glebcow has been attacked near Varna by the Turks, and entirely defeated. Gen. Glebcow was detached by Marſhal Romanzow, with 5000 foot and 1600 horſe, with ſeveral pieces of cannon, to ſupport the attack of Gen. Ungern on Varna; but was intercepted in the march by 11,000 of the Turkiſh foot and 2000 horſe; who ſoon gained a victory, and took a great number of priſoners, in conſequence of which Gen. Ungern has raiſed the ſiege of Varna."

"*London, Jan.* 21. As various reports have of late been propagated concerning the operations of the Ruſſians on the other ſide of the Danube, we think ourſelves obliged to impart to our readers a genuine extract from a letter of M. Count Romanzow, dated Dec. 9.—After the defeat of the enemy near Caraſſou on the 28th of October, our troops advanced to Baſarzick; which they took, together with eighteen pieces of cannon, and a great quantity of proviſion. Upon the intelligence of Varna's being but poorly defended, Gen. Ungern ſent a ſmall part of his corps thither, which, contrary to expectation, found the town well fortified, and a ſtrong garriſon in it, ſupported by armed inhabitants of the environs, and by a fleet. Our troops, however, made a bold aſſault on the 11th of November: but finding it impoſſible to force the retrenchments, they retreated with a loſs of 211 men, in ſuch good order that the enemy dared not come out to follow them. This diſappointment would not have retarded our further operations, had not the elements themſelves put an invincible obſtacle to the proſecution of them; for at that very time a ſevere cold ſet in, alternately with ſnow and rain, which laſt made the rivers overflow a great part of the country; and thus not only cut off all communication with the oppoſite ſhore, but alſo obſtructed our intercourſe with the interior parts of the country on this ſide the Danube. The firſt conſequence of this was the difficulty of providing our different corps with neceſſaries in a country ſo abſolutely deſtitute of forage; they were therefore obliged to repaſs the Danube, after having demoliſhed ſeveral magazines and forts that might have been of advantage to the enemy. Several thouſands of Chriſtian and Turkiſh families, who were diſpoſed to ſettle on this ſide of the Danube, were brought over, as alſo a prodigious number of cattle of all ſorts. After theſe and ſeveral other advantages over the enemy, our troops now enter their winter-quarters, with the certainty of remaining undiſturbed, and in a perfect ſecurity, from the enemy's being diſabled to eſtabliſh themſelves upon the Danube."

Conſtantinople, Dec. 3. On the 17th of laſt month, the Porte received intelligence, that a body of 10,000 Ruſſians having made an attempt upon Varna, had been totally defeated. The particulars received here concerning this action are as follows. The Ruſſians having detached three corps, one of which had taken poſt at Baſarzick, the ſecond between Baſarzick and Varna, and the third, which was the moſt numerous, had advanced towards Varna: the two firſt were deſtined to cut off the communication between the Grand Vizir's ar-

my and theſe two places. The firſt of theſe corps put to flight an Ottoman detachment poſted at Baſarzick, and carried the place: but the run-aways found means to avoid the ſecond Ruſſian detachment, and enter Varna. Dageſtanli Ali Bathaw having at the ſame time heard of the march of the Ruſſians to Baſarzick, marched in all haſte againſt them; and although he arrived too late to prevent their taking the place, he entirely defeated them; and the Boſtanghi Baſcha of Adrianople was alſo ſo fortunate as to beat the ſecond detachment. Theſe actions happened on the 11th and 12th of laſt month, the laſt of which days the Ruſſians made the greateſt effort on Varna, with ten regiments of foot. The attack was very bloody; the Turks at firſt were worſted, but being reinforced by the men that fled from Baſarzick, they obliged the Ruſſians in their turn to retire, and abandon nineteen pieces of cannon. The Ruſſians have already ſuffered greatly in their retreat; for Boſtanghi Baſcha having met them, cut part of them to pieces. The Grand Vizir had advanced at firſt to reinforce the garriſons of Varna, and the other places, and aſſiſt them in caſe they ſhould be attacked by the Ruſſians; but having learned the defeat of the latter, he returned to his old camp at Chiumla. That General has detached the Seraſkier Haſſan Baſha towards Siliſtria."

"*Frontiers of Turky*, *Dec.* 30. Notwithſtanding the utmoſt efforts of the Ruſſians againſt Siliſtria, they have not been able to quell the courage of the garriſon, who, by frequent ſallies, have deſtroyed their works, and killed great numbers of their men. They ſuſtained a ſiege for ſix weeks with ſo great reſolution and perſeverance, that they gave time for Haſſan Pacha to come to the aſſiſtance of the place, at the head of a numerous cavalry. He firſt found means to cut off the convoys which were going to the beſiegers camp, and then fell with ſo much fury on the Ruſſian cavalry, that after throwing them into diſorder, he forced the General to raiſe the ſiege with precipitation, and repaſs the Danube. All the ſouth ſhore of that river is actually cleared of the enemy, and the retreat of the Ruſſians was ſo precipitate, that they left behind them not only the magazines they took from the Turks, but alſo their own. Their cavalry particularly ſuffered very much. Theſe ſucceſſes are principally owing to the good diſpoſition and intrepid courage of Haſſan Pacha, who commanded the Turks, and has ſecured to the Ottoman army the honours of this campaign."

But the Ruſſian affairs in the Crimea bear a more favourable aſpect.

"*Peterſburg*, *Jan.* 8. We have juſt received authentic advices from Jaſſy, which aſſure us, that the rebels are entirely driven out of the Crimea; that Ockzakow, at the mouth of the Nieper, is the only place of conſequence in their poſſeſſion; and that the Ruſſian General in the Crimea is preparing to attack them there, he having taken ſuch juſt precautions that it will be impoſſible for the Turkiſh commander Crim. Dewlet Guery to form any conjunction with them."

"*Conſtantinople*, *Dec.* 13. The Grand Signior has juſt iſſued orders for eight ſail of large ſhips to be got ready immediately, mounting from ſixteen guns to forty, and twenty gallies and half-gallies, with ſome tranſports, which are to be laden with ordnance and ſtores, and a number of ſoldiers are to be embarked on board them to ſupport Dewlet Guerrier Khan in his intended operations in the Crimea. That chief (as ſoon as the above fleet arrives at the iſle of Taman) is to proceed with his force to Jernicale."

Of the operations of the fleet, the following accounts are received.

"*Venice*, *Dec.* 13. There have juſt arrived here the following Ruſſian ſhips of war, under the command of Rear-Adm. Duraſche, viz. the Petrowitz of 40 guns, the Archangel of 26, and the Moſcow of 20: they were appointed by Adm. Spiritoff, to ſail from Sciros, and cruiſe in the Adriatic againſt ſome Turkiſh ſhips he had intelligence of there. In the gulph of Lepanto they came up with four large ſhips belonging to the Turks: after a ſhort engagement, the Ruſſians took two of them, and the others eſcaped. The prizes are now here, and very richly laden."

"*Venice*, *Dec.* 22. A Raguſan veſſel has juſt arrived here; and brings advice, that Adm. Spiritoff has lately been worſted in an engagement with the Turkiſh fleet off the iſland of Sciros, which iſland is now in poſſeſſion of the latter. In the engagement, which laſted many hours, two of the Ruſſian ſhips blew up, one run on ſhore, and was loſt, and three were taken."

POLAND.

POLAND.

Although by the treaty with the King and republic of Poland, his Pruſſian Majeſty has renounced all pretenſions to the juriſdiction of Dantzick, it would appear, from the following articles, that he has now muſtered up a claim of another nature againſt that city.

"*Berlin, Jan.* 10. His Pruſſian Majeſty has ſent orders to M. Reichard, his agent reſiding at Dantzick, to make a further demand on that city of 160,000 ducats, by way of reimburſing the expences his Majeſty has been at, in building ſome new fortifications, and repairing the old ones round Dantzick and the ſuburbs, maintaining the engineers, &c. It is thought this demand will not eaſily be complied with by the magiſtracy of Dantzick, who will certainly refer it to the grand diet of Poland."

"*Dantzick, Jan.* 2. The agent for the King of Pruſſia has notified to our magiſtracy, his maſter's new claims upon the ſpot of ground and citadel called *Biſhop berg*, belonging to the biſhoprick of Cujavia, and that the inhabitants thereof ſhall be ready to ſwear allegiance to his Pruſſian Majeſty within a fortnight. This new uſurpation greatly alarmed our magiſtracy, as this ſpot is ſituated near the middle of the fortifications, and the citadel is the beſt bulwark in our city. It was immediately tranſmitted to Warſaw, and likewiſe to ſome foreign courts; but we are greatly afraid to no purpoſe; and we muſt at laſt become enſlaved by that deſpotic prince."

"*Warſaw, Jan.* 17. The delegation is now conferring with the Pruſſian miniſter here, on the new demands which his Pruſſian Majeſty has made on the city of Dantzick. The delegates abſolutely inſiſt, that theſe freſh demands are infractions of the treaty lately concluded between the Pruſſian and Poliſh monarchs; and as the courts of Vienna and Peterſburg have bound themſelves to guarantee that treaty as far as reſpects the cities of Dantzick and Thorn, the delegation ſhall certainly call upon them for the performance of their reſpective engagements."

RUSSIA.

An inſurrection of the Coſſacks in the province of Oremburg has happened. Whether it has been occaſioned by the cruel and arbitrary method practiſed in this empire of raiſing recruits for the army, or by the heavy taxes impoſed for its maintenance, we are not yet informed. From the following accounts, however, it would appear to have come to ſome height.

"*Hamburg, Jan.* 21. Letters from Moſcow confirm the report of the riſing of the Coſſacks of Jaik, and ſeveral others near the Wolga. They have choſen one named *Pougatſchaff* for their chief; and after cutting in pieces the detachment under Col. Karr, pillaged the mines at Dimidoff, and committed other ravages. The number of the rebels is ſaid to be 7000: their artillery conſiſts of fifteen pieces of cannon; and it is ſaid the half of a detachment of 1500 troops ſent againſt them, had joined them. The freſh troops ſent againſt them are drawn from the garriſon of Peterſburg, and are to be commanded by Gen. Bibikoff."

"*Peterſburg, Dec.* 28. The inſurrection of the Coſſacks in the province of Oremburg, which it was thought would have been quelled without much difficulty, has gathered ſo much ſtrength, that it has been found neceſſary to order ſeveral regiments to march into that province; and by the laſt accounts it appears that the inſurgents were not yet diſperſed." *Lond. gaz.*

"*Hamburg, Jan.* 14. All our letters from the Poliſh territories expreſs their utmoſt aſtoniſhment to find the Ruſſian troops in vaſt companies marching homewards; which circumſtance gives ground to believe, that the inſurrection in the Ruſſian empire is a moſt alarming one, and that their forces are much wanted at home."

"*Petersburg, Jan.* 16. Her Imperial Majeſty has iſſued orders for the immediate march of 11,000 men drawn out of the garriſons in Ingria, Carelia, and Livonia, to Moſcow, with an intention to join the troops at that city in reducing the rebellious Coſſacks of Jaik to their obedience. Every preparation is making for the departure of the troops, and it is hoped their expedition will meet with ſucceſs, as the rebellion of thoſe people has already cauſed a great alarm in the empire."

According to letters from Peterſburg, of Dec. 31. the deputies appointed to form a new code of laws for the Ruſſian empire [xxx. 692. xxxiv. 98.], have ſome very ſingular privileges granted them, viz. No deputy ſhall be puniſhed

niſhed with death, or undergo the torture, or receive any corporal puniſhment, for any crime he may commit; he depends upon the Empreſs: his effects ſhall not be ſeized, except for debt: thoſe who ill uſe, rob, or kill, one of the deputies, ſhall be puniſhed as ſevere again for it as the law enacts. Each member of the commiſſion is to wear a certain mark by which he may be known; thoſe of the commiſſion who are noble, and have really aſſiſted in forming the code, may add that mark to their arms, after the book of laws is completed. Any member of the commiſſion who has been ſick upwards of twenty-nine days, is permitted to chuſe a perſon of an irreproachable character to ſupply his place during his illneſs; and if the member who chuſes an aſſiſtant is not able to verify the election in writing, he ſhall do it by two witneſſes. Not only Chriſtians are admitted into this commiſſion, but likewiſe Mahometans, Pagans, and Gentiles.

SWEDEN.

"*Stockholm, Dec.* 24. The Count de Hopken, who ſome years ago reſigned the dignity of Senator, and had retired from public affairs, has been recalled by the King, in conſequence of the following letter. "I call you, at the head of my Senate, to ſerve me there as Counſellor and Conductor. If I knew a man in my kingdom of more underſtanding and virtue than yourſelf, I would leave you to enjoy your retirement: but when the Almighty beſtows great talents upon any perſon, he likewiſe deſigns that they ſhall be employed for the public good. I have now done my duty; do yours. I was willing to demonſtrate to my country, and to all Europe, that I wiſh for no other ſplendor on my throne but that of virtue. In caſe you perſiſt in not acquieſcing with my requeſt, and that of my people, I declare you reſponſible for it to the nation, and to poſterity."

"*Stockholm, Dec.* 31. The diſorders that are committed here through the liberty of the preſs, have engaged the high tribunal of the court to aſk the King, Whether, and how far, that liberty might be compatible with the new form of regency? Moſt of the members of the tribunal are of opinion, that this liberty, as alſo all the other old arrangements, which are not of any particular uſe, ought to be ſuppreſſed. It depends ſolely on the King to decide on what footing this liberty of the preſs is to ſubſiſt for the future."

GERMANY.

"*Hamburg, Jan.* 7. M. de Hecht, the Pruſſian miniſter here, has notified to the college of commerce, that his Pruſſian Majeſty had thought proper to aboliſh the duties of twelve and a half per cent. hitherto paid at Berlin on the tranſit of ſugars, and all other merchandiſe, paſſing through that city to Silеſia." *Lond. gaz.*

Vienna, Dec. 25. A declaration of the Empreſs-Queen has appeared here lately, by which ſhe grants twelve florins per ann. as a gratification to any one who will bring up a ſoldier's child from its birth, till it attains the age of eighteen years, and two florins a-year more for clothing the ſaid child. The inconvenience of preventing the ſoldiers from marrying has been felt for ſome time, therefore they are here permitted to marry; and as the number of children reſulting from the ſaid permiſſion increaſes daily, her Imperial Majeſty was willing to facilitate to the parents the bringing up of their children."

"*Dreſden, Jan.* 12. The late heavy fall of ſnow having been ſucceeded by a ſevere froſt, the navigation of the Elbe is entirely ſtopt; but it is thought it will prove beneficial to the land in this part of Germany. Many provinces of this electorate have for ſeveral months been over-run with ſuch numbers of field-mice, that all the methods made uſe of to deſtroy them have hitherto proved ineffectual; it is hoped, however, that this great quantity of ſnow, when it melts, will drown them, and prevent any farther damage from theſe vermin." *Lond. gaz.*

"*Vienna, Jan.* 15. We have had today, about half an hour after one o'clock in the afternoon, two very ſmart ſhocks of an earthquake, which were felt in almoſt every houſe in Vienna, but without cauſing any damage as we have yet heard. The weather was calm and pleaſant; and a gentle thaw, with ſunſhine." *Lond. gaz.*

The diſtemper among the horned cattle, that was productive of ſuch miſchief on the continent about two years ago, and even had penetrated into Britain, has again broke out in the Netherlands.

"*Oſtend, Dec.* 29. The diſtemper amongſt the horned cattle is again broke ou

out in ſeveral parts of the province called Weſt Flanders; a few diſtricts of which (viz. Courtray, Furnes, Bruges, and Ipres), annually ſupply their neighbours with 60 or 70,000 head of black cattle, of which Liſle alone conſumes 12 or 14,000. In the diſtrict of Courtray ſeveral infected cattle have been already killed; and this week the diſtemper has appeared at Sevecote and St Peter's-Capelle, two villages not above two leagues from this town, where ſix infected beaſts have been killed. Notwithſtanding which, and the unremitting attention of the perſons appointed in the beginning of laſt year to ſuperintend every thing relative to this contagion, it is apprehended from the deſultory manner of its appearing at places remote from each other, that it may again become general in theſe provinces. The military cordon, eſtabliſhed on this frontier towards French Flanders on the breaking out of the former contagion, has not been removed; ſo that there is no reaſon to think that it has been introduced by infection: it ſeems rather to proceed from the influence of the air, and the quantity of rain with which theſe low paſture-grounds have been overflowed for theſe laſt three months." *Lond. gaz.*

"*Oſtend, Jan.* 19. The diſtemper among the horned cattle, and the ſlaughter of the infected, ſtill continue, in different parts of this province and neighbourhood; and to this mode of prevention the committee hitherto ſeem reſolved to adhere."

United Provinces.

Melancholy accounts ſtill continue to be received from Surinam [xxxv. 342. 607.]. They ſay, that the revolted negroes and natives break into the plantations of that colony, and deſtroy every thing in the moſt cruel manner; that above half of the troops ſent thither laſt year are already deſtroyed; and that the commander had wrote to the States-general, that without a very conſiderable reinforcement he would not be able to preſerve that ſettlement.

"*Hague, Jan.* 7. The ſmall pox has made very great ravage in this province for ſeveral months paſt, and ſtill continues to carry off great numbers; notwithſtanding which, the faculty of Leyden are not yet cured of their ancient prejudices againſt inoculation, and conſequently prevent numbers from profiting by its happy effects." *Lond. gaz.*

Italy.

The inſurrection at Palermo ſtill continues. [xxxv. 662.]

"*Rome, Dec.* 29. The troubles in Sicily have determined a great number of people, among others the Prince de Butero and the Duke de Pena Forno, to take refuge in this city. Letters from Naples adviſe, that the King had ſtrictly forbidden to ſpeak of theſe tumults; and that ſome freſh troops had been ſent off to Palermo, where the populace ſtill continued to keep poſſeſſion of the caſtle, and would hear of no compoſition, unleſs all their demands are previouſly granted."

"*Naples, Dec.* 28. We have accounts of the arrival of Count Coroſa at Palermo, with two battalions conſiſting of about 700 men; and that he has been well received, and lodged in the city; but that the maeſtranza are not inclined to give admittance to the troops, ſo that they are quartered in the ſuburbs. It is ſaid that the burghers, unleſs compelled by force, will not give up their ancient privilege of guarding the city of Palermo, nor ſuffer the Duke Fogliani's return thither. They continue to call loudly for ratification of the indulto granted them by the Archbiſhop [xxxv. 608.]; and as they are ſaid to amount to 20,000 armed men, it may require time to reduce them to obedience." *Lond. gaz.*

Barbary.

"*Algiers, Oct.* 30. The Moors in the neighbourhood of this city having again revolted, a body of troops commanded by the Bey of Conſtantine attacked and routed them. That Bey has juſt ſent to this capital 60 heads, 400 pair of ears, and 50 priſoners."

British North America.

The tea exported to America by the Eaſt-India company, in purſuance of an act of parliament paſt laſt ſeſſions [xxxv. 264.], has already produced a ferment throughout that continent, and is likely to be attended with more alarming conſequences [xxxv. 664.]. The following accounts are inſerted to ſhew the beginning of troubles.

"*New-York, Nov.* 29. Capt. Couper is arrived here from London, in which ſhip came Col. Chriſtie, of the Royal Americans. Capt. Couper informs us, that ten days before him ſailed a ſhip for Boſton, with

with tea-cheſts 600; a ſhip for Philadelphia was fallen down the river, with 600; a ſhip for Charles-town, ready to ſail, 200; a ſhip for Rhode-iſland, ditto 200; and another for New-York, taking in 600; in all 2200 cheſts. It was ſaid in London, that commiſſioners for the ſale of the tea would be ſent out with it."

"*Boſton, Nov.* 22. Laſt Friday his Majeſty's council of this province met, by a ſummons from Gov. Hutchinſon, to conſider a petition of the tea-commiſſioners in this town, praying "to reſign themſelves, and the property committed to their care, to his Excellency and their Honours, as guardians and protectors of the people;" and "that meaſures may be adverted to, for the landing and ſecuring the teas, until the petitioners can be at liberty openly and ſafely to diſpoſe of the ſame, or until they can receive a direction from their conſtituents."

"*Newport, Rhode Iſland, Nov.* 22. We are aſſured that 50 or 60 families in this town, who have conſtantly uſed tea in their houſes for a long time, have lately entirely refrained from that herb; and that numbers of others are on the point of abandoning the diſgraceful practice of tea-drinking."

"*New York, Dec.* 1. By the Boſton papers of Nov. 25. we find the tea was not then arrived: the commiſſioners had refuſed to reſign, and had aſked protection of the government, to defend them in an intended treaſon againſt its conſtitution."

"*New-York, Dec.* 1. It having been reported, that the Hon. Henry White, Eſq; Abraham Lot, Eſq; and Mr Benjamin Booth, were appointed commiſſioners for the ſale of tea, intended to be ſent to this colony by the Eaſt-India company; a number of the inhabitants of the city met at the houſe of Capt. Thomas Doran, Nov. 25. and appointed a committee to wait on thoſe gentlemen, and deſire to know of them, whether, if they were appointed, they would act on the ſaid commiſſion or not? The committee waited on them accordingly, and received the following anſwer.

"Gentlemen, At preſent we have received no appointment from the Eaſt-India company, nor any certain information on what terms the tea is to come out to this colony. When it arrives, if addreſſed to us, the community ſhall be acquainted with the conditions on which it is ſent. Should the tea be ſhipped liable to the American duty, we believe it is againſt the ſentiments of the inhabitants that it ſhould be ſold by us, or any other perſon; and therefore we cannot execute the commiſſion; nor ſhall in any reſpect act therein contrary to the general ſenſe of our fellow-citizens."

On the arrival of the packet, Nov. 30. the ſaid gentlemen having received certain advice of their appointment, at another meeting a committee was again choſen to wait on them, and deſire their poſitive anſwer to the queſtions before propoſed; to which they gave the following anſwer.

"The agents ſince find, that the tea will come liable to the American duty; and, agreeable to their former promiſe, have declined receiving and ſelling it under that predicament."

"*Boſton, Dec.* 20. On Tueſday laſt the body of the people of this and all the adjacent towns, and others from the diſtance of twenty miles, aſſembled at the Old South meeting-houſe, to inquire the reaſon of the delay in ſending the ſhip Dartmouth, with the Eaſt-India tea, back to London; and having found that the owner had not taken the neceſſary ſteps for that purpoſe, they injoined him at his peril to demand of the collector of the cuſtoms a clearance for the ſhip, and appointed a committee of ten to ſee it performed; after which they adjourned to the Thurſday following, ten o'clock. They then met; and being informed by Mr Rotch, that clearance was refuſed him, they injoined him to enter a proteſt, and apply to the Governor for a paſſport by the caſtle; and adjourned again till three o'clock of the ſame day. At which time they again met; and after waiting till near ſun-ſet, Mr Rotch came in, and informed them, that he had accordingly entered his proteſt, and waited on the Governor for a paſs; but his Excellency told him, he could not, conſiſtent with his duty, grant it until his veſſel was qualified. The people, finding all their efforts to preſerve the property of the Eaſt-India company, and return it ſafely to London, fruſtrated by the tea-conſignees, the collector of the cuſtoms, and the governor of the province, diſſolved their meeting.——But behold what followed! a number of reſolute men (dreſſed like Mohawks or Indians), determined to do all in their power to ſave their country from the ruin which their enemies had plotted, in leſs than four hours

emptied

emptied every cheſt of tea on board the three ſhips, commanded by the Cap^{s} Hall, Bruce, and Coffin, amounting to 342 cheſts, into the ſea, without the leaſt damage done to the ſhips, or any other property. The maſters and owners are well pleaſed that their ſhips are thus cleared, and the people are almoſt univerſally congratulating each other on this happy event.

Capt. Loring, in a brig from London for this place, having 58 cheſts of the deteſted tea on board, was caſt aſhore on the back of Cape Cod laſt Friday ſe'nnight. 'Tis expected the Cape Indians will give us a good account of the tea againſt our next.

We are poſitively informed, that the patriotic inhabitants of Lexington, at a late meeting, unanimouſly reſolved againſt the uſe of bohea tea of all ſorts, Dutch or Engliſh importation; and, to manifeſt the ſincerity of their reſolution, they brought together every ounce contained in the town, and committed it to one common bonfire."

"*Charleſtown, Nov.* 20. The tea-affair makes great noiſe here, but nothing is yet done; it will be prevented landing, without doubt.

An inflammatory hand-bill was a few days ago diſtributed in Philadelphia, addreſſed to the Delaware pilots, informing them, that a ſhip loaded with tea was on her way to that port, being ſent out for the purpoſe of enſlaving and poiſoning all the Americans; and as ſhe cannot be brought to anchor before that city without their aſſiſtance, exhorting them to prevent her arrival; they cannot be at a loſs how to act. As they have proved ſcourges to evil-doers, it is predicted of the pilots, that they will give a faithful and ſatisfactory account of the tea-ſhip, if they ſhould meet with her.

In this hand-bill they ſay, "It is clear, that if the Americans buy any of this tea, they muſt pay the parliament's duty, and acknowledge their right to tax us as often and as high as they think proper; than which nothing can be more diſgraceful and injurious to a free people."

"*New-York, Dec.* 6. The following notice has been diſperſed about this city. "Whereas our nation have lately been informed, that the fetters which have been forged for us by Great Britain, are hourly expected to arrive in a certain ſhip, belonging to or chartered by the Eaſt-India company; we do therefore declare, that we are determined not to be enſlaved by any power on earth; and that whoſoever ſhall aid or abet ſo infamous a deſign, or ſhall preſume to let their ſtore or ſtores for the reception of the infernal chains, may depend upon it, that we are prepared, and ſhall not fail to pay them an unwelcome viſit, in which they ſhall be treated as they deſerve, by

Nov. 29. 1773. THE MOHAWKS."

"*Philadelphia, Dec.* 27. At a public meeting of the inhabitants held at the ſtate-houſe, Oct. 18. the ſenſe of the city was expreſſed in the following reſolves.

1. That the diſpoſal of their own property is the inherent right of freemen; that there can be no property in that which another can of right take from us without our conſent; that the claim of parliament to tax America is, in other words, a claim of right to levy contributions on us at pleaſure.

2. That the duty impoſed by parliament upon tea landed in America, is a tax on the Americans, or levying contributions on them without their conſent.

3. That the reſolution lately entered into by the Eaſt-India company to ſend out their tea to America, ſubject to duties on its being landed here, is an open attempt to enforce this miniſterial plan, and a violent attack upon the liberties of America.

4. That it is the duty of every American to oppoſe this attempt.

5. That a committee be immediately choſen to wait on thoſe gentlemen, who, it is reported, are appointed by the Eaſt-India company to receive and ſell the ſaid tea, and requeſt them, from a regard to their own character, and the peace and good order of the city and province, immediately to reſign their appointment.

In conſequence of this appointment, the committee waited upon the gentlemen in this city who had been appointed conſignees of the expected cargo. Some of the commiſſioners reſigned in a manner that gave general ſatisfaction; others in ſuch equivocal terms as required explanation: however, in a few days the reſignation was complete.

At another ſubſequent general meeting, it appeared to be the unanimous opinion, that the entry of the ſhip at the cuſtomhouſe, or the landing any part of her cargo, would be attended with great danger and difficulty, and would directly tend to deſtroy that peace and good or-

der which ought to be preſerved. An addition of twelve other gentlemen was then made to the former committee, and the general meeting adjourned till the arrival of the tea ſhip.

On Chriſtmas-day in the evening, an expreſs came up from Cheſter, that the tea-ſhip, commanded by Capt. Ayres, with her deteſted cargo, was arrived there, having followed another ſhip up the river ſo far.

The committee met early the next morning; and being appriſed of the arrival of Mr Gilbert Barclay, the other conſignee, who came paſſenger in the ſhip, they immediately went in a body to requeſt his renunciation of the commiſſion. Mr Barclay politely attended the committee at the firſt requeſt; and being made acquainted with the ſentiments of the city, and the danger to which the public liberties of America were expoſed by this meaſure, he, after expreſſing the particular hardſhip of his ſituation, alſo reſigned the commiſſion, in a manner which affected every one preſent.

About two o'clock, the ſhip having weighed anchor, ſhe appeared in ſight of Glouceſter point, where a number of inhabitants from the town had aſſembled with the gentlemen from the committee. As ſhe paſſed along, ſhe was hailed, and the Captain requeſted not to proceed farther, but to come on ſhore. This the Captain complied with, and was accordingly accompanied to town by a number of perſons. Upon an hour's notice this morning, a public meeting was called, and the ſtate-houſe not being ſufficient to hold the numbers aſſembled, they adjourned into the ſquare.

1. Reſolved, That the tea on board the ſhip Polly, Capt. Ayres, ſhall not be landed.

2. That Capt. Ayres ſhall neither enter nor report his veſſel at the cuſtom-houſe.

3. That Capt. Ayres ſhall carry back the tea immediately."

"*New York, Nov.* 1. All America is in a flame on account of the tea-exportation. The New-Yorkers, as well as the Boſtonians and Philadelphians, are, it ſeems, determined that no tea ſhall be landed. They have publiſhed a paper in numbers, called, *The Alarm*. It begins firſt with "Dear countrymen," and then goes on exhorting them to open their eyes, and, like ſons of liberty, throw off all connection with the tyrant their mother-country. They have on this occaſion raiſed a company of artillery, and every day almoſt are practiſing at a target. Their independent companies are out at exerciſe every day. The minds of the lower people are inflamed by the examples of ſome of their principals. They ſwear that they will burn every ſhip that comes in; but I believe our ſix and twelve pounders, with the Royal Welſh fuſiliers, will prevent any thing of that kind."

"*New York, Dec.* 1. All is in confuſion about the tea-ſhips, and the Governor has now declared that he expects a ſhip with 400 cheſts of tea. The artillery have orders to make up ball-cartridges, as have the troops. Yeſterday orders were given for all ſoldiers to keep good flints in their firelocks, and every officer and ſoldier, as ſoon as any riot is in the town, (if there), to repair directly to the barracks, and acquaint the commanding officer of it. General Haldiman has got two cohorns before his houſe, and the Governor a ſtronger guard. The Swan ſloop of war is gone down to the watering-place to wait for the ſhip to bring her up, as they have threatened all the pilots to bring them to Liberty-tree, if they conduct the ſhip up."

ENGLAND.

The parliament met on Thurſday, Jan. 13. The King opened the ſeſſion with the following ſpeech.

My Lords, and Gentlemen,

THE unuſual length of the laſt ſeſſion of parliament, made me deſirous of giving you as long a receſs as the public ſervice would admit. I have therefore been glad to find myſelf under no neceſſity of calling you from your reſpective counties at an earlier ſeaſon; and I doubt not but you are now met together, in the beſt diſpoſition for applying yourſelves to the diſpatch of the public buſineſs.

You will, I am perſuaded, agree with me in regretting, that the peace, ſo long expected, and ſo very deſirable, is not yet effected, between Ruſſia and the Porte; but it is with real ſatisfaction I can repeat, that other foreign powers continue ſtill to have the ſame pacific diſpoſitions with myſelf. I can have no other wiſh than to ſee the general tranquillity reſtored: for the eſtabliſhment and ſubſequent preſervation of which, no endea-

vours

vours of mine, conſiſtent with the honour of my crown, and the intereſts of my people, ſhall ever be wanting.

In this ſtate of foreign affairs, you will have full leiſure to attend to the improvement of our internal and domeſtic ſituation, and to the proſecution of meaſures more immediately reſpecting the preſervation and advancement of the revenue and commerce of the kingdom. Among the objects which, in this view, will come under your conſideration, none can better deſerve your attention than the ſtate of the gold coin; which I muſt recommend to you in a more particular manner, as well on account of its very high importance, as of the peculiar advantages which the preſent time affords, for executing with ſucceſs ſuch meaſures as you may find it expedient to adopt, with reſpect to this great national concern.

The degree of diminution which that coin had actually ſuffered, and the very rapid progreſs which the miſchief was daily making, were truly alarming. It is with much ſatisfaction that I have ſeen the evil, in a great meaſure, checked by the regulations made in the laſt ſeſſion of parliament. I truſt, however, that you will not ſtop here, nor think that you have diſcharged your duty, either to your country or your fellow-ſubjects, without uſing your beſt endeavours for putting the gold coin upon ſuch a footing, as may not only completely remove the preſent grievance, but render the credit and commerce of the kingdom ſufficiently ſecure from being again expoſed to the like danger.

Gentlemen of the Houſe of Commons,

I have ordered the proper eſtimates for the current year to be laid before you, and rely on your readineſs to grant me ſuch ſupplies as ſhall be found requiſite in the preſent ſituation of affairs.

My Lords, and Gentlemen,

The experience I have had of your paſt conduct, leaves me no room to doubt, either of your zeal or prudence, in your endeavours to promote the welfare of your country. You will not ſuffer any parts of the public ſervice to eſcape your attention: but, various and extenſive as thoſe are, you will be careful to ſelect, for your immediate deliberation, ſuch of them as ſhall appear to be moſt important: and you can propoſe no meaſures that will ſerve either to ſecure or advance the happineſs and proſperity of my people, in which you may not always depend on my moſt hearty concurrence.

In anſwer to the ſpeech, addreſſes were preſented, that of the Lords on the 14th, and that of the Commons on the 15th; and the King returned a gracious anſwer to each.

The Earl of Northington moved for the Lords addreſs, and was ſeconded by Lord Willoughby de Brooke. — Lord Guernſey moved for the Commons addreſs, and was ſeconded by Mr St John; who dwelt particularly on the very ſingular benefits the gold-coin act had produced, by raiſing the exchange in our favour with every country in Europe, eſpecially with Amſterdam; a circumſtance not known for many years. He likewiſe expatiated largely on the ſpeech from the throne, ſo far as it recommended the further conſideration of ſo momentous a buſineſs to parliament; obſerving, that as a ſtandard between man and man, as immediately and eſſentially connected with our trade and revenue, it was of the higheſt conſequence to our trading and commercial intereſts.

Mr P——, in anſwer, ſaid, That whatever high opinion thoſe gentlemen might pleaſe to entertain of the act in queſtion, he by no means approved of its being brought in ſo late in the ſeſſion, nor of its injurious effects in relation to a ſet of men (though bankers) who only held other people's cath, but who were obliged to pay it back at a different ſtandard, at a very conſiderable loſs.

Lord North replied, That ſince the ruinous ſtate of the gold coin ſhewed the neceſſity there was to put it under ſome regulation, to prevent its increaſe, and the many conſequences which might be juſtly dreaded from it, he was glad to find, that thoſe who could beſt bear the loſs, and were gainers by the ſituation which occaſioned it, were thoſe who felt it moſt ſeverely; that if a tax had been laid to make good the deficiency, it would have put the nation at large to a very high expence, and opened a door for very groſs impoſitions; as was the caſe in K. William's time, when on a notice of a ſimilar kind, relative to the ſilver coin, the nation had been put to an expence of two millions and a half; but that, in the preſent inſtance, the expence had fallen where it could be beſt borne; and that if any further regulations ſhould become neceſſary, it would

be trifling, and therefore, he believed, be chearfully made good by the public.

" *London, Jan.* 13. A petition, it is ſaid, has been preſented to the privy council from the general aſſembly of the province of Maſſachuſets-bay, requeſting the removal of the Governor and Lieutenant-Governor of that province from their poſts, on account of the diſcoveries made in their conduct by the publication of ſome letters lately."

" *London, Jan.* 18. Dr Franklin was examined, on Tueſday laſt, before the privy council, touching the unfortunate letters that have given riſe to a late duel [xxxv. 666.]; by which that myſterious buſineſs is likely ſoon to be cleared up."

" *London, Jan.* 25. Orders were on Saturday given from the ordnance-board to prevent the exportation of ſmall arms to America, or the Weſt Indies, except on government-account; and the commiſſioners at all the out-ports are injoined to ſee this order complied with."

On the 29th of January, the Ruſſian fleet, under the command of Adm. Greig, [xxxv. 665.], with three tranſports and a tender, ſet ſail from Portſmouth for the Mediterranean. While at that place, the Britiſh naval commanders and neighbouring gentlemen vied with each other in elegantly entertaining the Ruſſian commander. It is very remarkable, that though the Ruſſians are a hardy people, and that the climate of this country is many degrees warmer than that of their own, yet many more of them ſickened there than at home. Many of them died, and the hoſpital near Goſport was full of their ſick.

By an order of the quarter-ſeſſions for the county of Wilts, Jan. 11. in purſuance of the act *for the better regulating the aſſize and making of bread*, [xxxv. 329.], all bakers, &c. within that county are forbid to make for ſale, any bread of a higher price than the ſtandard wheaten bread directed by that act to be made, *i. e.* of the flour of wheat, without any mixture or diviſion, being the whole produce of the grain, the bran or hull only excepted, and weighing three fourth-parts of the wheat of which it is made; this order to continue in force for three months, to be computed from and after the end of one calendar month from its date.

On the 4th of January, the Earl of Sandwich and Sir Richard Bickerton ſailed in an ice-boat on Weſt-meadow, Godmanchester, in the county of Huntingdon. There were a great number of ſpectators; and it was judged that the boat ſailed at the rate of thirty miles an hour. It is thought to be the firſt that ever was ſeen in England.

" *Glouceſter, Jan.* 4. This day a great number of the inhabitants and voters of this town aſſembled on the river, the ſame being entirely froze over, our new-intended candidate having on Sunday laſt given away upwards of 40*l.* in bread and other charities at the old church, and left with his agent here 100 guineas, for the purpoſe of merriment, to be diſpoſed of by giving a bullock roaſted whole, and two hogſheads of ale, to the public, and a ball for the ladies in the evening. By way of novelty, the bullock was agreed to be roaſted on a temporary hearth and fire, a place prepared for the purpoſe on the ice; which having been put into execution, the populace aſſembled, ſuppoſed to be upwards of 2000; but before their departure, the ice, from the preſſure, giving way, upwards of 100 perſons were ſeverely ducked: and if the matter had ended there, it would have been very happy; but ſorry am I to acquaint you, upwards of twenty perſons were drowned, amongſt whom is our worthy friend Bob H——, his wife, and a child of about a year old; and poor H——, from the Swan, ſtanding cook, ſhared the ſame fate."

" *Leeds, Jan.* 4. At Saddleworth, in this county, a man was ſome time ago taken ill, and to all appearance died, as he could not be perceived to breathe. In this ſituation he remained for the ſpace of ſix weeks: during which time he received no other nouriſhment than now and then a ſmall quantity of milk, which the doctor poured into his mouth, at the ſame time ſtopping his noſtrils leſt it ſhould come out again there. After lying in this condition the above time, he came to himſelf, and is now in as good a ſtate of health as ever he was in his life. The apothecary who attended him, perceived his pulſe at intervals to beat; or he certainly had been buried before he had finiſhed his trance."

Lord Mansfield, and the reſt of the judges in the court of king's-bench, gave their opinion, Jan. 27. in the matter relating to the arreſting of Gen. Ganſell [xxxv. 495.] at his lodgings; and their Lordſhips determination was, That the General was legally arreſted: the caption therefore being held good, he is to remain

main in gaol until he hath ſatisfied his creditors, or is otherwiſe diſcharged by due courſe of law.

A young woman with a child in her arms, and big with another, applied to Ald. Wilkes, Jan. 29. who ſat at the manſion-houſe for the Lord Mayor, for a paſs to the pariſh to which ſhe belonged; ſaying, that ſhe was married to a black, who was a ſlave to a merchant in Lothbury, but that having no wages he was not able to ſupport her. The Alderman granted a warrant to bring her huſband before the Lord Mayor. Accordingly he was carried before his Lordſhip on the 31ſt, when the poor fellow declared, that he was born in Guadaloupe, of negro parents; that he had ſerved his maſter in England fourteen years, but was never allowed any wages; that when his wife lay-in, he applied to his maſter for a little money for her ſupport, but without ſucceſs; and in the courſe of his examination he expreſſed ſuch tender feelings for the diſtreſs of his wife and child, that it drew compaſſion from all preſent. Upon which his Lordſhip diſcharged him from his maſter, telling him, that he was not a ſlave, according to the laws of this free country [xxxiv. 299.]; and that if he ſhould be moleſted in getting bread for himſelf and family, to apply to him, and he would ſee juſtice done. His Lordſhip then gave him a guinea, and the gentlemen preſent ſubſcribed another, towards his ſupport till he could get employ; and recommended him to an attorney in the mayor's court, to bring an action againſt the maſter for the recovery of his wages for the fourteen years he had ſerved him in England. The maſter did not attend, though ſent for.

There was lately publiſhed at Amſterdam, in ſix volumes octavo, a book, intitled, *Hiſtoire Philoſophique et Politique des Etabliſſements et du Commerce des Europeens dans les deux Indes*, aſcribed to the Abbé Reſnal; in which this author introduces ſeveral curious ſpeculations concerning the probability of a paſſage to the Eaſt Indies by the way of Hudſon's bay. As the late check ſuffered by government, in their attempts made towards the north pole, have rendered this the general topic at preſent, it is hoped the following extract will not be thought unſeaſonable.

After having given a deſcription and a hiſtory of that Bay, he proceeds thus.

"There are three truths in the hiſtory of nature, which ought from henceforward to be looked upon as demonſtrated. The firſt is, That the tides proceed from the ocean; and that they make a ſmaller or greater progreſs into the other ſeas, in proportion as the apertures by which theſe bodies of water communicate with the great reſervoir, are more or leſs conſiderable: from whence it follows, that thoſe periodical fluctuations are hardly felt in the Mediterranean, in the Baltic, and in the other gulfs of a ſimilar kind. The ſecond fact is, That the tides arrive later, and with leſs force, at thoſe places which are at a diſtance from the ocean, than at thoſe which are nearer to it. The third is, That high winds blowing with the tide, raiſe it above its ordinary pitch; and that they retard and diminiſh it when they blow in an oppoſite direction.

From theſe principles it follows, that if Hudſon's bay were a gulf ſurrounded with land, and open only towards the Atlantic ocean, the tides that take place there would be ſlightly marked; they would become weaker when farther removed from their ſource; and would loſe their force when obliged to ſtruggle with the wind. Now, it is proved, by obſervations made with the greateſt intelligence and preciſion, that the tides riſe to a great height through the whole extent of the bay. It is proved, that they riſe to a greater height in the bottom of the bay than even in the ſtraits, or in their neighbourhood. It is proved, that that height is ſtill increaſed when the winds blow from the quarter oppoſite to the ſtraits. It ſeems proved therefore, that Hudſon's bay has other communications with the ocean beſide that which is already diſcovered.

Thoſe who have endeavoured to explain theſe ſtriking facts, by ſuppoſing a communication between Hudſon's bay and Baffin's bay, through Davis's ſtraits, are evidently miſtaken. They would not heſitate to renounce their conjecture, which, indeed, has no ſort of foundation, if they attended to this circumſtance, that the tide is much lower in Davis's ſtraits, and in Baffin's bay, than in the other.

If the tides that are felt in the gulf of which we are ſpeaking, cannot come from the Atlantic, nor from any northern ſea, where they are always much lower, it will be impoſſible to avoid thinking that

that they muſt have their ſource in the Pacific ocean. This ſyſtem muſt derive great ſupport from an inconteſtable truth: it is, that the higheſt tides obſerved upon thoſe coaſts are always produced by the north-weſt winds, which blow directly oppoſite to the ſtraits.

After having proved, with all the certainty of which the nature of the caſe admits, the exiſtence of a paſſage ſo long and ſo fruitleſsly ſought, it remains to determine in what part of the bay it is to be found. Attempts have hitherto been made on all ſides, without choice and without method: There is every reaſon to think that Welcomb, on the weſtern coaſt, is the centre to which all future efforts ought to be directed. The bottom of the ſea may be ſeen there in eleven fathoms water, which is an evidence of a communication with ſome ocean; for no ſuch tranſparency can be derived from the influx of rivers, the melting of ſnow, or the falling of rains. Currents which flow with a rapidity not otherwiſe to be explained, than by ſuppoſing them to come from ſome weſtern ſea, keep that place clear of ice, while the reſt of the Bay is entirely covered with it. And, in the laſt place, the whales, which never fail in autumn to retire towards the warmer climates, are found in great numbers there at the end of ſummer; a circumſtance which ſeems to indicate a road, not to the ſouthern ocean, but to the South ſea.

It is reaſonable to conjecture that the paſſage is ſhort. All the rivers which empty themſelves into the weſt ſide of Hudſon's bay are ſmall and inſignificant; which affords a proof that their courſe is not long, and makes it probable that the land which ſeparates the two ſeas is of no great extent. This argument is ſtrengthened by the force and the regularity of the tides. Where ever the intervals of the flux and reflux are nearly equal, with the difference only that is occaſioned by the time of the moon's return to the meridian, we are aſſured of the vicinity of the ocean from which theſe tides proceed. If the paſſage is ſhort, and if it is not far to the north, as we have the greateſt reaſon to ſuppoſe, it is to be preſumed that it is not difficult. The velocity of the currents which take place in thoſe latitudes, and which do not allow the ice to ſtop there, cannot fail to add weight to this conjecture."

MARRIAGES.

Jan. 6. At Roſs-doe, William Colquhoun of Garſcadden, Eſq; to Miſs Helen Colquhoun, daughter of Sir James Colquhoun of Luſs, Bt.

23. At Didbrook, Gloceſterſhire, Lord Aylmer, to the ſecond daughter of Sir Charles Whitworth.

BIRTHS.

Jan. 2. At London, the Counteſs of Galloway, of a ſon

6. At London, the Counteſs of Abington, of a daughter

P. S. Feb. 2. At Gordon-Caſtle, the Ducheſs of Gordon, of a daughter.

DEATHS.

Sept. 4. Captain John Fergufon, in his paſſage from England to India —— Capt. Fergufon and Capt. Roache were both paſſengers on board the Vanſittart, Capt. Young, which ſailed for India in May 1773. Roache was very quarrelſome, and had differences with moſt of the paſſengers. He behaved ſo ill in particular to Capt. Fergufon at Madeira, that Capt. Fergufon was under a neceſſity of calling him out. Roache refuſed to fight; and, in preſence of Mr Murray, the conſul, and other gentlemen, made all the conceſſions which Capt. Fergufon required. Roache's daſtardly behaviour on this and other occaſions, made the other gentlemen-paſſengers decline ſpeaking to him; nay they inſiſted with Capt. Young to forbid him the table; which was done. This excited Roache's revenge againſt them all; but particularly againſt Capt Fergufon, which iſſued in a moſt cowardly and barbarous aſſaſſination. The following is ſaid to be a true account of it. "Upon the 4th of September, the very day of the arrival of the ſhip at the Cape of Good Hope, Roache came aſhore, late in the afternoon, after all the other paſſengers; and, in the duſk of the evening, came ſkulking about the door of the houſe where he had learned that Capt. Fergufon lodged; and when it was dark, ſent a meſſage to him, in the name of his friend Lieut Martin, that he wiſhed to ſee him immediately at his lodgings. Capt Fergufon went, unſuſpicious, defenceleſs, and unguarded; and, as he turned the corner of the ſtreet, was ſtabbed to the heart by Roache, who ſtood with his ſword ready drawn for the barbarous purpoſe. He received repeated ſtabs before he had time to lift even his cane in his own defence; and, when faint with loſs of blood, and the many wounds which he had received, he attempted to draw his ſword, which he had not now ſtrength to guide. Roache ſeized upon it, broke it, and ſcrupled not to ſtab him, when

when falling and disarmed, and instantly made his escape; availing himself of that darkness which had so much assisted him in the perpetration of this base and inhuman murder. Capt. Ferguson received no fewer than nine wounds, and all upon the left side, which must have been given when off his guard. Indeed, it appears from the deposition of a principal witness, whose evidence was taken by the court of justice at the Cape, that, after Capt Ferguson had drawn his sword, he shewed not the least activity nor motion, but, in the twinkling of an eye, reeled, and fell to the ground, and expired in a few moments."—According to a London paper about the end of January, authentic intelligence was then received by letters from the Cape of Good Hope, that Capt. Roache was apprehended in the woods by the peasants in the country, about six days after the murder of Capt. Ferguson, and was instantly racked on the wheel by order of the Governor. In vain he pleaded to be tried by his countrymen, the Governor remarking, "that a foreigner who violates the law of another country, must abide by the penalties awaiting such violation" As a proof of which, he pointed out the situation of a Dutchman in England under Roache's unhappy circumstances.

Jan 2. At Glasgow, Thomas Peter of Carlbasket, Esq;

4. At Lanvyhangel court, near Abergavenny, the Countess-dowager of Oxford, mother of the present Earl.

7. At London, Lady dowager Dorothy Montague. —— This lady, who was greatly advanced in years, sitting in her apartment, by some accident her cloaths took fire, and she was so terribly burnt, that she died in a few hours after.

8. At Linton, aged 74, Mr James Mair, minister of the Associate congregation there.

10. At Edinburgh, Mr James Dundas, advocate.

12. At Montrose, James Donaldson, Esq; late from Riga.

14. At Muirhouse, John Watson of Muirhouse, Esq;

14. At Edinburgh, Mr Andrew Douglas druggist in that city.

16. At Earlshall, Mrs Helen Bruce, spouse to Walter Wemyss, Esq; of Lathoker.

18 At Edinburgh, Mr Duncan Campbell, last captain of the city-guard of that city.

At Wellwood, Thomas Hamilton, Esq; of Overtoun

In Rossshire, David Roy, aged 105.

20. At Kirkpatrick-Durham, Mr Macmorran, minister of that parish.

22. At Bath, Robert Hughes, Esq; Rear-Admiral of the Red.

23 At Edinburgh, James Gartshore of Aldershon, Esq; writer to the signet.

Jan 23. At Boath, Alexander Dunbar of Boath, Esq;

23 Mr Hector Macphail, minister of the united parishes of Kirkmichael and Cullicudden, in Rossshire.

26. At Stradbally, Queen's county, Ireland, Lord Sydney of Leix, and Baron of Stradbally.

28. At Balmakeuan, Mrs Williamina Barclay, wife of William Graham, Esq; of Morphie.

28. At his house in Canongate, Mr John Thain, advocate in Aberdeen.

29 At Binny, Dame Helen Campbell, relict of Sir James Dalziel of Binns, Bt.

30. At Cavers, Archibald Douglas of Cavers, Esq;

PREFERMENTS.

From the London Gazette.

The King has been pleased,

Dec. 28. to approve of Paul Amsinck, of London, merchant, to be Agent for the Hanse Towns within G. Britain, the said Mr Amsinck having received a commission for that purpose from the cities of Lubeck, Bremen, and Hamburg.

Jan. 8. to present Henry Chayter, Clerk, L L. D. to the vicarage of Catterick in the county of York and diocese of Chester, void by the resignation of Theophilus Lindsay, A. M. [33.]

11. to grant unto Robert Chester, of the Inner Temple, Esq; the office of Collector or Receiver of the perpetual yearly tenths of all dignities, offices, benefices, and promotions spiritual whatsoever, granted to the corporation of the Governors of the bounty of Q. Anne, for the augmentation of the maintenance of the poor clergy, in the room of Thomas Parry, Esq; deceased.

25. to constitute and appoint Soame Jenyns, Edward Eliot, and Bamber Gascoyne, Esqs, Lord Robert Spencer, William Jolliffe, Whitshed Keene, Esqs, and the Hon. Charles Greville, Esq; to be his Majesty's Commissioners for Trade and Plantations.

27. to appoint John Earl of Galloway to be one of the Commissioners of Police in Scotland, in the room of Alexander Earl of Galloway, deceased.

27. The Queen has been pleased to appoint James Harris, Esq; to be her Majesty's Secretary and Comptroller.

War-office, Jan. 24. 1774.

2d. reg. of dragoons: John Grosset Muirheid, Gent. to be Cornet, vice William Sinclair; by purchase.

4th reg. of dragoons: Surgeon Edward Yale to be Surgeon, vice Thomas Allport; by purchase.

15th. reg of light dragoons: Capt. George Lord Ferrers, of the 17th regiment of light dragoons,

dragoons, to be Captain of a troop, vice Edward Hamilton, who exchanges.

11th reg of foot: Enf. William Henchman to be Lieutenant, vice William Taylor; by purchafe

Ditto: Thomas Rudfdell, Gent. to be Enfign, vice William Henchman; by purchafe.

Ditto: Lieut. John Jones to be Adjutant, vice William Taylor.

23d reg. of foot: John Blucke, Gent. to be Second Lieutenant, vice James Dyer; by purchafe.

50th reg. of foot: William Dawfon, Gent. to be Enfign, vice John Davis, deceafed.

56th reg. of foot: Enf. Wyndham Quin to be Lieutenant, vice William Fox; by purchafe.

Ditto: William Cuninghame, Gent. to be Enfign, vice Wyndham Quin; by purchafe.

61ft reg of foot: Enf. Harding Pidder to be Lieutenant, vice Peter Auriol Drummond; by purchafe

Ditto: Enf. John Barlow, of the 5th regiment of foot, to be Enfign, vice Harding Pidder; by purchafe.

Ditto: Enf. Sir William Moore, Bt, to be Lieutenant, vice Jofeph Hollings; by purchafe.

Ditto: Alexander Arburthnot, Gent to be Enfign, vice Sir William Moore, Bt; by purchafe.

65th reg. of foot: Enf. John Smith to be Lieutenant, vice Edward Jenkins; by purchafe.

Ditto: Zachary Bayly, Gent. to be Enfign, vice John Smith; by purchafe.

Capt. Alexander Baillie, from halfpay, to be Fort-Major of Fort George, vice John Fox, who exchanges.

Robert Cheſhyre, Eſq; to be Captain of Foot, in the Eaſt Indies only.

The Edinburgh bill of burials for January 1774.

Within the city	Males 50	106	160. Incr. 39.	
	Fem. 56			
In the Weſt-kirk-yard	Males 23	54		
	Fem. 31			

Age.			N°	Diseases.	N°
Under		2	52	Aged	21
Between	2	& 5	19	Aſthma	3
	5	& 10	8	Bowelhive	4
	10	& 20	6	Chincough	7
	20	& 30	8	Conſumption	40
	30	& 40	4	Dropſy	3
	40	& 50	8	Fever	27
	50	& 60	14	Gravel	4
	60	& 70	16	Meaſles	12
	70	& 80	16	Small pox	30
	80	& 90	8	Stillborn	5
	90	& 100	1	Suddenly	2
				Weakneſs	2

Edinburgh, Feb. 22. 1774. Oat-meal, 1s. Bear-meal, 8d. 2f. Peaſe-meal, 8 d. 2f.

Prices of grain at Haddington, Feb. 11. 1774.

	Beſt.	*Second.*	*Third.*
Wheat,	24 s. 0 d.	23 s. 0 d.	20 s. 6 d.
Bear,	20 s. 6 d.	19 s. 6 d.	18 s. 6 d.
Oats,	14 s. 0 d.	12 s. 6 d.	10 s. 8 d.
Peaſe,	12 s. 0 d.	11 s. 8 d.	10 s. 6 d.

Sum of the quantity and value of Linen ſtamped for ſale in Scotland, [xxxv. 56.]

From Nov. 1. 1772. *to Nov.* 1. 1773.

Quantity 10,748,110 1 half yards.
Value L. 462,751 : 0 : 11 halfpenny.
Medium Price 9 d. 5 24ths.

An account of the patients in the royal infirmary, Edinburgh, laſt year. [xxxv. 56.]

In the hoſpital, Jan. 1. 1773	173	1882
Admitted that year - -	1709	
Particulars of the above ſum.		
Ordinary patients - -	1150	1882
Supernumeraries - -	99	
Servants - - -	184	
Soldiers - - -	449	
Of whom,		
Cured in the year 1773 -	1392	1694
Relieved, though not fully cured	158	
Diſmiſſed by deſire - -	39	
Diſmiſſed for irregularities -	5	
Diſmiſſed as incurable - -	21	
Died - - - - -	79	
In the hoſpital, Jan. 1. 1774.		188
Ordinary patients - -	113	
Supernumeraries - -	7	
Servants - - -	16	
Soldiers - -	52	

An account of the number of patients received into and diſmiſſed from the Aberdeen infirmary from Nov. 1772, *to Jan.* 1774. [xxxv. 56.]

Patients in the hoſpital Nov. 1. 1772.	86	1207
Admitted from Nov. 1. 1772, to Jan. 1. 1774 - -	1121	
Of whom,		
Perfectly cured - -	800	1130
Incurable, after a long trial -	25	
Recovered, ſo as to follow their uſual buſineſs - -	152	
Improper, diſmiſſed at their own deſire, and deſerted -	92	
Dead - - -	61	
Remaining in the hoſpital Jan. 1. 1774.		77

Beſides the above number received into the hoſpital, 2991 have had the benefit of advice and medicines as out-patients.

A royal charter is now obtained, by which the accounts are directed to be made up to the 31ſt of December annually.